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FILE NO. 101-91-82 ORDINANCE NO. 201-92

RO# 91241 SA# 104

(GOVERNMENT FUNDING)

APPROPRIATING \$65,000,000 FOR CAPITAL IMPROVEMENT PROJECT (ISLAIS CREEK

TRANSPORT STORAGE), PUBLIC WORKS FOR FISCAL YEAR 1991-92, PLACING

\$61,930,000 ON RESERVE.

Be it ordained by the People of the City and county of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1991-92 as follows:

Department And Number	Source of Funds and Purpose of Appropriation	Amount	
		Debit	Credit
35-898	1991 Sewer Revenue Bond Fund		
G.L. 491 (056630)	Unappropriated Revenue Retained	\$65,000,000	
90-06-00	Public Works - Engineering		
Project 898-00	ISLAIS Creek Transport Storage		
20-2030 (544122)	Capital Improvement Project		\$65,000,000

Section 2. Funds in the amount of \$61,930,000 (consisting of \$56,300,000 construction contract and \$5,630,000 for related contingencies) are hereby placed on reserve pending the selection of a contractor, and the determination of RBE and/or WBE status of the contractor and finalized cost details, to be released by the Finance Committee.

Approved As To Form: Louise H. Renne, City Attorney Funds Available:

By: Deputy City Attorney

Controller

Encls. 55

DOCUMENTS DEPT.

JUL 6 1992

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Board of Supervisors, San Francisco

Passed for Second Reading

June 15, 1992

§ Finally Passed

§ June 22, 1992

Ayes: Supervisors Achtenberg Alioto
Britt Conroy Gonzalez Hallinan
Hsieh Kennedy Maher Migden
Shelley

§ Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley

§ Absent: Supervisor Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

JUN 26 1992

File No.
101-91-82

Date Approved

Mayor

FILE NO. 97-92-24

ORDINANCE NO. 202-92

1 [Transfer of Sick Leave and Vacation Benefits] AMENDING CHAPTER 16,
2 ARTICLE I OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING
3 SECTION 16.9-29(g) THEREOF, RELATING TO TRANSFER OF SICK LEAVE AND
4 VACATION BENEFITS TO CATASTROPHICALLY ILL EMPLOYEES, BY PROVIDING
5 THAT HOURS TRANSFERRED TO A CATASTROPHICALLY ILL EMPLOYEE WHICH
6 REMAIN UNUSED AT THAT EMPLOYEE'S DEATH, RESIGNATION, OR RETIREMENT
7 SHALL BE DISTRIBUTED AMONG CERTAIN OTHER CATASTROPHICALLY ILL
8 EMPLOYEES, UNLESS THE DONATING EMPLOYEE SPECIFIES OTHERWISE.

9 NOTE: Additions or substitutions are underlined;
10 deletions are in ((double parentheses)).

11 Re it ordained by the People of the City and County of San Francisco:

12 Section 1. Chapter 16, Article I of the San Francisco

13 Administrative is hereby amended by amending Section 16.9-29
14 thereof, to read as follows:

15 SEC. 16.9-29 TRANSFER OF SICK LEAVE AND VACATION CREDITS TO
16 CATASTROPHICALLY SICK EMPLOYEES.

17 (a) PURPOSE. This section is enacted as a measure to permit
18 the transfer of sick leave and vacation credits, as authorized by
19 Charter Sections 8.364 and 8.441, respectively.

20 (b) DEFINITION OF CATASTROPHIC ILLNESS. In order to be
21 declared catastrophically ill within the meaning of this section, an
22 employee must meet all of the following conditions:

23 (1) The employee has sustained a life-threatening illness or
24 injury; and
25 ///

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(2) The employee has already exhausted all available paid sick
leave, vacation, compensatory and in-lieu time.

(c) ELIGIBILITY FOR RECEIPT OF TRANSFERS OF SICK LEAVE AND/OR
VACATION CREDITS. Any employee of the City and County of San
Francisco who is eligible to accumulate and use sick leave and
vacation credits may receive transfers of sick leave and vacation
credits pursuant to this section, if the employee has been found to
meet the definition of catastrophically ill pursuant to the
procedures prescribed in this section. This section only provides
for receipt of such credits as are donated and does not provide for
an absolute right of continued paid leave.

(d) PROCEDURE FOR APPLICATION FOR CATASTROPHIC ILLNESS STATUS.

(1) An employee must complete a prescribed application form
and return it to the Department of Public Health, as indicated on
the form, together with supporting medical documentation. The
Department of Public Health shall produce and maintain sufficient
quantities of the prescribed application for employee access and
distribution.

(2) The Department of Public Health or its designee shall
examine the documentation supporting the application. The
Department of Public Health or its designee may ask the applicant to
submit further documentation and/or to submit to examination by a
physician that it designates to determine in fact that the applicant
does suffer from a catastrophic illness within the meaning of these
///

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1 rules. An employee's failure to comply with these requirements may
2 be grounds for rejection of the application.

3 (3) After the Department of Public Health makes its
4 determination, it shall notify the employee and the employee's
5 department head, and for vacation leave transfers the employee's
6 department head must assent to the determination.

7 (4) In order to continue to qualify as catastrophically ill,
8 an employee who has been determined to be catastrophically ill may
9 from time to time be required (1) to submit to specified examination
10 and/or (11) to supply further documentation of current medical
11 status, as is necessary in the opinion of the Department of Public
12 Health or its designee in order to continue to qualify as
13 catastrophically ill; provided, however, that such request shall not
14 be made for the purpose of harassing said employee.

15 (5) If an employee is determined not to be catastrophically
16 ill, the employee shall have a right to appeal the decision through
17 an administrative appeal process to be established by the Public
18 Health Commission, and which shall include the right to review by
19 the Director of the Department of Public Health and, finally, a
20 hearing before the Public Health Commission. The Department of
21 Public Health shall automatically provide the employee with a
22 written letter setting for the reasons for denial and the procedure
23 for filing an administrative appeal. The Public Health Commission
24 shall promulgate and post the administrative appeal rules within 14
25 days from the effective date of this ordinance. The administrative

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1 appeal process in its entirety shall not exceed 60 days. An
2 employee whose application has been disapproved is not obligated to
3 exhaust the administrative appeals process before reapplying, and
4 instead the employee may reapply after observing a 30-day wait
5 period from the date of the initial denial.

6 (e) ELIGIBILITY TO TRANSFER SICK LEAVE AND/OR VACATION

7 CREDITS. Any employee of the City and County of San Francisco who
8 is eligible to accumulate and use vacation credits and sick leave
9 may transfer sick leave and/or vacation credits to another employee
10 subject to the following conditions:

11 (1) The transferring employee must retain a minimum sick leave
12 balance of 64 hours;

13 (2) Transfers must be in units of eight hours;

14 (3) All transfers are irrevocable;

15 (4) The transferring employee may transfer hours once per pay
16 period per recipient;

17 (5) The transferring employee may transfer a maximum of 80
18 hours per pay period and 480 hours per calendar year; and

19 (6) Neither the transferring employee nor the designated
20 recipient may be in violation of Subsection (1).

21 Notwithstanding the foregoing, for employees retiring after January
22 31, 1992 and prior to March 31, 1992 pursuant to Charter section
23 0.517-2, conditions (1), (4) and (5) shall not be applicable.
24
25

(f) POSTING OF ELIGIBLE RECIPIENTS.

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(1) The Department of Public Health shall assign an exclusive number to each catastrophically ill employee deemed eligible to receive sick leave time and/or vacation credit transfers under these rules;

(2) The Department of Public Health shall maintain, reproduce and post a running list of catastrophically ill employees, to be identified only by their special number, in order to let transferring employees designate a recipient;

(3) The list may include the amounts of sick leave and vacation credits already transferred or on reserve to each employee; and

(4) In all cases, the Department of Public Health and its designees shall shield and protect the true identities of catastrophically ill employees and the right of employees to confidentiality protections.

(g) RECEIPT OF TRANSFERRED SICK LEAVE AND VACATION CREDITS BY A CATASTROPHICALLY ILL EMPLOYEE.

(1) All hours transferred shall be credited as sick leave for the receiving employee. As they are used, they shall be treated as use of the employee's own sick leave for all purposes, including for continued accrual of vacation credits, sick leave, and retirement service; service for pay increments; and eligibility for holiday pay.

(2) At the beginning of each pay period, a catastrophically ill employee must use all sick leave and vacation credits accrued during the previous pay period before using any transferred hours.

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(3) An employee who has been determined catastrophically ill may use transferred hours retroactively from the date of certification of eligibility back to the date of application.

(4) A receiving employee may use transferred credits in a pay period to the extent that when combined with other compensation from the City and County and all other benefits from public sources, the total does not exceed the pay for 100 percent of the employee's regularly scheduled hours for such pay period (excluding regularly schedule overtime and premium pay). A receiving employee may be required to provide financial records to prove compliance with this subsection. Failure to provide such records is grounds for exclusion from eligibility to receive sick leave and vacation credit transfers pursuant to this section.

(5) The maximum number of hours that can be transferred to an employee for any single catastrophic illness is 3,120.

(6) If a catastrophically ill employee dies, retires, or resigns before having used all hours transferred pursuant to this provision, the unused hours shall be divided equally among catastrophically ill employees with sick leave balances of 40 hours or less, provided that no catastrophically ill employee shall receive more than 40 hours under such procedure. If this is not sufficient to exhaust the deceased, retired, or resigned employee's unused hours, the remainder shall then be divided equally among all catastrophically ill employees with sick leave balances of 80 hours or less, provided that no catastrophically ill employee shall

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1 receive more than 40 hours under such procedure. If this is not
2 sufficient to exhaust the deceased, retired, or resigned employee's
3 unused hours, the remainder shall then be divided equally among all
4 catastrophically ill employees with sick leave balances of 120 hours
5 or less. provided that no catastrophically ill employee shall
6 receive more than 40 hours under such procedure; further
7 applications of this rule in increments of 40 hours shall be applied
8 until all the deceased employee's remaining hours shall have been
9 redistributed.

10 (h) CONFIDENTIALITY.

11 (1) All medical records submitted by an employee pursuant to
12 this statute are to be kept confidential by the Department of Public
13 Health or its designee.

14 (2) Until the Department of Public Health has rendered its
15 opinion pursuant to subsection (d) that the employee is
16 catastrophically ill, the fact of an employee's application is to be
17 kept confidential by the parties processing the application and not
18 shared with the employee's department head.

19 (3) The names of employees donating hours pursuant to this
20 provision are to remain confidential.

21 (4) Violation of the provisions of this subsection or any
22 other relating to confidentiality protections shall be grounds for
23 disciplinary action.

24 (i) NO SELLING OR COERCION

25 ///

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1 (1) No individual shall directly or indirectly solicit the
2 receipt of, or accept, any compensation in full or partial exchange
3 directly or indirectly, for sick leave or vacation credits to be
4 transferred pursuant to this section.

5 (2) No individual shall solicit the receipt of, or accept, the
6 transfer of any sick leave or vacation credits pursuant to this
7 section in full or partial exchange, directly or indirectly, for any
8 compensation.

9 (3) No individual shall threaten or in any way attempt to
10 coerce an employee with respect to transfer of sick leave or
11 vacation credits pursuant to this section.

12 (4) Violation of the provisions of this subsection shall be
13 grounds for disciplinary action.

14 (j) LIMITATION. In undertaking the adoption and enforcement
15 of this ordinance, the City and County of San Francisco is assuming
16 an undertaking only to promote the general welfare. It is not
17 assuming, nor is it imposing on its officers and employees, an
18 obligation for breach of which it is liable in money damages to any
19 person who claims that such breach proximately caused injury.

20 (k) REVIEW.

21 (1) Within six months following final passage of this
22 ordinance, a Task Force on Transfer Benefits shall be assembled to
23 review the sick leave and vacation transfer programs, the report of
24 the Executive Director of Employee Relations on the costs of
25 purchasing long term disability insurance for employees of the City

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1 and County of San Francisco, this ordinance, and the performance of
2 City and County departments in carrying out their Charter and
3 statutory obligations.

4 (2) The Task Force shall be composed of seven members, with
5 one member each representing the Health Commission, Civil Service
6 Commission, and Retirement Board; two members representing employee
7 associations; one member representing the public; and one member
8 representing persons with catastrophic illnesses;

9 (3) Members of the Task Force shall be appointed by the Board
10 of Supervisors in accordance with the composition requirements
11 established herein; and

12 (4) The Task Force shall prepare a report with its findings
13 and recommendations for improvements or modifications in the sick
14 leave and vacation credit transfer program, and to be presented to
15 the Board of Supervisors and Mayor within 120 days from the date of
16 the first hearing of the Task Force.

17 (1) NOTICES. The Civil Service Commission shall develop
18 notices with relevant information about the sick leave and vacation
19 credit transfer program, including facts on how and where to apply
20 for registry as a catastrophically ill employee, and how and where
21 employees can contribute sick leave time and vacation credits to
22 catastrophically ill co-workers. These notices shall be distributed
23 to all appointing officers who shall then post them in public places
24 where other notices advising employees of rights and benefits are
25 posted.

SUPERVISOR BRITT, MCDON, SHELLEY, ACHTENBERG

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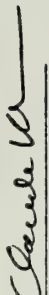
6/9/92

1 (m) TERMINATION OF THIS PROVISION. Unless otherwise specified
2 by ordinance of Charter provision, the provision of the ordinance
3 shall expire upon the effective date of a successor ordinance or
4 Charter section providing for transfer of sick leave and vacation
5 credits or upon the effective date of an ordinance or Charter
6 section instituting a long-term disability program.

7 (n) RETROACTIVE. The provisions of this ordinance shall be
8 effective retroactively to the date the relevant Charter amendments
9 were certified by the State of California.

10 APPROVED AS TO FORM:

11 LOUISE H. RENNE
12 City Attorney

13 By: 
14 CLAUDE F. KOLM
15 Deputy City Attorney

SUPERVISOR BRITT, MCDON, SHELLEY, ACHTENBERG

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6/9/92

Board of Supervisors, San Francisco

Passed for Second Reading

§ Finally Passed

June 22, 1992

§ June 29, 1992

Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Helen
Kennedy Maher Migden Shelley

Absent: Supervisor Altoro

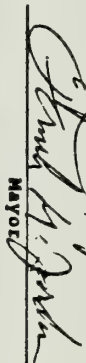
§ Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Helen
Kennedy Maher Migden Shelley
§ Absent: Supervisor Altoro

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

JULY 10, 1992


Clerk

Date Approved


Mayor

File No.
97-92-26

1 AN ORDINANCE FIXING, DESIGNATING, ENUMERATING AND PROVIDING
2 SCHEDULES OF COMPENSATION FOR PERSONS EMPLOYED BY THE CITY AND
3 COUNTY OF SAN FRANCISCO, THE SAN FRANCISCO COMMUNITY COLLEGE
4 DISTRICT, THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT, WHOSE
5 COMPENSATIONS ARE SUBJECT TO THE PROVISIONS OF SECTION 8.403 OF
6 THE CHARTER AND ESTABLISHING BENEFITS, WORKING SCHEDULES, AND
7 CONDITIONS OF EMPLOYMENT AND METHODS OF PAYMENT, EFFECTIVE JULY
8 1, 1992.

9 Be it ordained by the People of the City and County of San
10 Francisco:

11 I. LIST OF BARGAINING UNIT CLASSIFICATIONS
12 AND UNREPRESENTED CLASSIFICATIONS

13 IA. BARGAINING UNIT 8-D (Staff Nurses and P-103 Per Diem Nurses)

14 1. Staff Nurses

15 2320 Registered Nurse
16 2323 Clinical Nurse Specialist
17 2330 Anesthetist
18 2340 Operating Room Nurse
19 2830 Public Health Nurse
20 2328 Nurse Practitioner

21 2. P-103 Per Diem Nurses

22 I.B. BARGAINING UNIT 11-B (Supervisory Nurses)

23 2322 Head Nurse

24 2324 Nursing Supervisor
25 2326 Nursing Supervisor Psychiatric
2342 Head Nurse, Surgery
2344 Chief of Surgery Nurses
2350 Instructor of Nursing
2352 Assistant Director of Nursing Education
2366 Assistant Director of Nurses, Laguna Honda
Hospital
2368 Assistant Director of Nurses, S.F.G.H.
2832 Supervising Public Health Nurse

26 I.C. UNREPRESENTED CLASSIFICATIONS

27 2369 Director of Nurses, Laguna Honda Hospital
28 2370 Director of Nurses, S.F.G.H.
29 2394 Central Processing & Distribution Supervisor
30 2833 PHN Administrator
31 2836 Director, Public Health Nursing

32 II. SCHEDULES OF COMPENSATION.

33 II.A. Schedules. Compensation for the respective

34 classifications of employment shall be paid for services under a
35 normal work schedule as defined in Section III hereof.

36 Compensation are gross amounts and are on a biweekly basis
37 unless otherwise specified.

38 II.B. Maintenance and Charges. Charges and deductions for all
39 maintenance, such as housing, meals, laundry, etc., furnished to
40 and accepted by Registered Nurses shall be made on time-rolls and
41 payrolls in accordance with a schedule of maintenance charges
42 fixed and determined in the Annual Salary Ordinance.

43 II.C. Uniform Allowance. Registered nurses, excluding "as
44 needed" Registered and P-103 Per Diem Nurses, who are required to
45 wear and supply their own uniforms in the course of their duties
46 and are employed on September 1, 1991 shall be paid an annual
47 uniform allowance of \$175.00, and, in the case of employees in
48 Staff Nurse classifications listed in section I.A.1 wearing and
49 supplying lab coats, smocks, or scrubs, \$100.00, no later than
50 December 1 of each year.

51 III. WORK SCHEDULES (Not Applicable to P-103 Per Diem Nurses)

52 III.A. Normal Work Schedules.

53 III.A.1. Unless otherwise provided in this ordinance, a
54 normal work day is a tour of duty of eight (8) hours completed
55 within not more than nine (9) hours.

1 Upon request of the appointing officer, the Civil Service
2 Commission may authorize work schedules for registered nurse
3 classifications which are comprised of eight (8) hours within
4 twelve (12) or a forty hour work week in four, five or six
5 consecutive days. Such change in the number of work days shall
6 not alter the basis for, nor entitlement to, receiving the same
7 rights and privileges as provided all five-day, forty-hour-a-week
8 employees.

9 All classifications of Registered Nurses having a normal
10 work day of eight (8) hours may voluntarily work in flex-time
11 programs authorized by appointing officers and may voluntarily
12 work more than or less than eight (8) hours within twelve (12)
13 hours, provided that the Registered Nurse must work five (5) days
14 a week, eighty (80) hours per payroll period, and must execute a
15 document stating that the Registered Nurse is voluntarily
16 participating in a flex-time program and waiving any rights he or
17 she may have on the same subject contained in a memorandum of
18 understanding.

19 Registered Nurses may voluntarily work ten (10) or twelve
20 (12) hour shifts when authorized by the appointing officer,
21 provided such ten (10) or twelve (12) hour shifts shall not alter
22 the basis for, nor entitlement to, receiving the same rights and
23 privileges as provided all five-day, forty-hour-a-week employees,
24 except, however, that ten (10) and twelve (12) hour shifts
25 employees who actually work on a holiday shall receive full

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1 holiday compensation for the regularly-scheduled shift worked on
2 a holiday. Said employees shall be entitled to overtime
3 compensation for work only in excess of eighty (80) hours per
4 payroll period and provided, further, that said employees shall
5 accumulate compensatory time off at the rate of time and one-half
6 (1-1/2) only for time worked in excess of eighty (80) and less
7 than eighty-four (84) hours per payroll period. Nurses in the
8 jail shall continue voluntarily working a schedule based upon
9 ten (10) hour shifts. Nurses in Psychiatric Emergency Services
10 working ten (10) hour shifts as of July 1, 1989 may voluntarily
11 continue working ten (10) hour shifts; provided, however, that
12 all ten (10) hour shift positions may at the option of the
13 Department revert to eight (8) hour shifts upon attrition of
14 current ten (10) hour shift incumbents.

15 Upon request of the union to any City department, the Board
16 of Supervisors authorizes any department head, board or
17 commission to meet and confer with the union on proposals offered
18 by the union or the department relating to alternate scheduling
19 of working hours for all or part of a department. Such proposals
20 may include but are not limited to core-hour flex-time, full-time
21 work weeks of less than five (5) days or a combination of plans
22 which are mutually agreeable to the union and the department
23 concerned. It is the intent of the Board that the work year
24 shall continue to be two thousand eighty (2080) hours (2088 in
25 leap years) and that overtime shall be earned on a daily and

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1 weekly basis provided, however, the union and the affected
2 department may mutually agree on cost equivalent alternative
3 scheduling practices. Any such agreement shall be submitted in
4 ordinance form to the Board of Supervisors for its approval or
5 rejection.

6 III.A.2. A normal work week is a tour of duty on each of
7 five consecutive days.

8 III.A.3. Exceptions:

9 III.A.3.(A). The 20-20 Education Program

10 III.A.3.(B). Specially funded training programs
11 approved by the Civil Service Commission.

12 III.A.3.(C). Educational and training courses -

13 regular permanent civil service employees may, on a voluntary
14 basis with approval of appointing officer, work a forty hour week
15 in six days when required in the interest of furthering the
16 education and training of the employee.

17 III.A.3.(D). Employees shall receive no compensation
18 when properly notified (2 hour notice) that work applicable to
19 the classification is not available because of inclement weather
20 conditions, shortage of supplies, traffic conditions or other
21 unusual circumstances. Employees who are not properly notified
22 and report to work and are informed no work applicable to the
23 classification is available shall be paid for a minimum of two
24 hours.

1 Employees who begin their shifts and are subsequently
2 relieved of duty due to the above reasons shall be paid a minimum
3 of four hours, and for hours actually worked beyond four hours,
4 computed to the nearest one-quarter hour.

5 III.A.3.(E). Special Educational Leave for Health

6 Personnel.

7 Each full-time and regularly scheduled part-time nurse, excluding
8 P-103 Per Diem Nurses, shall be allowed a maximum of forty (40)
9 hours educational leave with pay per fiscal year or a pro rata
10 share thereof to attend formally organized courses, institutes,
11 work shops or classes which relate to nursing education or
12 classes which relate to professional nursing development and
13 education or are necessary to achieve the particular
14 classification's recertification or relicensure.

15 It is the intent of the Board of Supervisors that leave
16 pursuant to this paragraph shall be granted subject only to the
17 reasonable staffing requirements of the departments and that in
18 granting of such leave, preference shall be given to the employee
19 having the earliest relicensure or recertification date.

20 III.A.3.(F). Voluntary Reduced Work Period for Public
21 Health Nurses. Employees in classifications 2830 Public Health
22 Nurse and 2832 Supervising Public Nurse may elect to participate
23 for six month periods in a 5% basic biweekly salary reduction
24 plan subject to the approval of the Community Public Health
25 Services, Director of Nursing. Employees who elect this

1 alternate pay plan shall receive 5% less salary on a biweekly
2 basis and, in addition to other vacation, holiday, and sick leave
3 benefits, shall receive 6-1/2 working days off with pay in one
4 period, provided that if the employee is entitled to be paid for
5 less than 40 hours per week for the six month period, he or she
6 shall receive a pro rata portion of the 6-1/2 days.

7 If the employee resigns during the six month period, an
8 adjustment shall be made in the final pay check for any portion
9 of the 6-1/2 days off with pay received but to which the employee
10 lost entitlement by reason of his or her resignation.

11 The periods shall be as follows: two six month periods each
12 fiscal year, one commencing on July 1 and one ending on the
13 following December 31 and a second commencing on January 1 and
14 ending the following June 30. Notification of participation must
15 be received by the appointing officer no later than two weeks
16 prior to the commencement of the period. Days off earned

17 pursuant to this section are not subject to accumulation and must
18 be utilized during the period on a scheduled basis mutually
19 agreed to by the employee and the appointing officer.

20 III.A.3.(e). Voluntary Reduced Work Week. Employees
21 with the approval of the appointing officer may voluntarily elect
22 to work a reduced work week for a specified period of time. Such
23 reduced work week shall not be less than sixteen (16) hours per
24 week. Pay, vacation, holidays and sick pay shall be reduced in
25 accordance with such reduced work week.

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1 III.B. Part-Time Work Schedule. A part-time work schedule
2 is a tour of duty of less than forty hours per week.

3 SECTION IV. COMPENSATION FOR VARIOUS WORK SCHEDULES

4 (Not Applicable to P-103 Per Diem Nurses)

5 IV.A. Normal Work Schedule. Compensation fixed herein on a per
6 diem basis are for a normal eight hour work day, and on a
7 biweekly basis for a biweekly period of service consisting of
8 normal work schedules.

9 IV.B. Part-Time Work Schedules. Salaries for part-time services
10 shall be calculated upon the compensation for normal work
11 schedules proportionate to the hours actually worked.

12 V. ADDITIONAL COMPENSATION

13 SEC. V.A. Shift Differential. Registered Nurses shall be paid
14 ten (10) percent more than the base rate set forth herein for
15 hours worked in shifts designated by the Department of Public
16 Health to be evening shifts. Registered Nurses shall be paid
17 twenty (20) percent more than the base hourly rate for hours
18 worked in shifts designated by the Department of Public Health to
19 be a night shift, excepting those employees participating in an
20 authorized flex-time program who voluntarily work during hours
21 otherwise designated as an evening or night shift.

22 V.B. Extended Tour of Duty. (Not Applicable to P-103 Per Diem
23 Nurses). An extended tour of duty shall be a tour of duty of
24 eight hours work completed within eleven consecutive hours but
25 extended over more than nine hours. There shall be only one

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1 split in any tour of duty. The employees on an extended tour of
2 duty shall be paid for time actually worked and shall be paid 50
3 percent above their base rate after the ninth hour. These
4 provisions shall not apply to executive, administrative or
5 professional employees.

6 V.C. Interpreter-Translator Pay. Registered Nurses who are
7 assigned by their department to a "Designated Bilingual Position"
8 may be granted additional compensation of \$17.50 weekly. A
9 "Designated Bilingual Position" is one designated by the
10 Department related to a public service function of a department
11 and requiring translating to and from a foreign language,
12 including sign language as used by the deaf, a minimum of 5 hours
13 weekly.

14 V.D. Supervisory Differential Adjustment. The Civil Service
15 Commission is hereby authorized to adjust the compensation of a
16 supervisory nurse whose schedule of compensation is set herein
17 subject to the following conditions.

18 V.D.1. The supervisor, as part of the regular
19 responsibilities of his/her class, supervisees, directs, is
20 accountable for and is in responsible charge of the work of a
21 subordinate or subordinates.

22 V.D.2. The organization is a permanent one approved by the
23 appointing officer, chief administrative officer, board or
24 commission, where applicable, and is a matter of record based
25 upon review and investigation by the Civil Service Commission.

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1 V.D.3. The supervisor has completed a probationary period
2 in a civil service class and holds permanent status to a full-
3 time position.

4 V.D.4. The classifications of both the supervisor and the
5 subordinate are appropriate to the organization and have a
6 normal, logical relationship to each other in terms of their
7 respective duties and levels of responsibility and accountability
8 in the organization.

9 V.D.5. The compensation schedule of the supervisor is less
10 than 5% or one full step over the compensation schedule,
11 exclusive of extra pay, of the employee supervised. In
12 determining the compensation schedule of a classification being
13 paid a flat rate, the flat rate will be converted to a biweekly
14 rate and the compensation schedule the top step of which is
15 closest to the flat rate so converted shall be deemed to be the
16 compensation schedule of the flat rate classification.

17 V.D.6. The adjustment of the compensation schedule of the
18 supervisor shall be to the nearest compensation schedule
19 representing, but not exceeding, 5 percent or one full step over
20 the compensation schedule, exclusive of extra pay, of the
21 employee supervised.

22 If the application of this section adjusts the rate of pay
23 of an employee in excess of his/her immediate supervisor, the pay
24 of such immediate supervisor shall be adjusted to an amount \$1.00
25 biweekly in excess of the base rate of his/her highest paid

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1 subordinate, provided that the applicable conditions under
2 paragraph "D" are also met.

3 V.D.7. The decision of the Civil Service Commission as to
4 whether the compensation schedule of a supervisory employee shall
5 be adjusted in accordance with this section shall be final.

6 V.D.8. Compensation adjustments are effective retroactive
7 to the beginning of the current fiscal year or the date in the
8 current fiscal year upon which the employee became eligible for
9 such adjustment under these provisions.

10 V.D.9. In no event will the Civil Service Commission
11 approve a supervisory salary adjustment in excess of 10% or two
12 full steps over the supervisor's current basic compensation. If,
13 in the following fiscal year a salary inequity continues to
14 exist, the Civil Service Commission may again review the
15 circumstances and may grant an additional salary adjustment not
16 to exceed 10% or two full steps.

17 V.D.10. It is the responsibility of the appointing officer
18 immediately to notify the Civil Service Commission of any change
19 in the conditions or circumstances that were and are relevant to
20 a request for salary adjustment under this section either acted
21 upon by or pending before the Civil Service Commission.

22 V.M. Standby Pay. Registered Nurses who are required by the
23 Department to stand by when normally off duty to be constantly
24 available for immediate service shall be paid at fifty (50)
25 percent of their regular straight time rate of pay for the period

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1 on standby, and seventy five (75) percent of their regular
2 straight time rate of pay for the period on standby on designated
3 holidays. When such nurses are called upon to report to work
4 during the period of such standby service, they shall be paid at
5 the rate of time-and-one-half (1-1/2) their regular straight time
6 rate of pay for time spent at work on call back; provided,
7 however, that such nurses are guaranteed a minimum credit of
8 three (3) hours work for each occasion on which they are called
9 in, not to exceed the total hours of the standby period.

10 V.F. Call Back (Rest Between Shifts). Employee in classes 2320
11 Registered Nurse, 2322 Head Nurse, 2323 Clinical Nurse
12 Specialist, 2324 Nursing Supervisor, 2326 Nursing Supervisor -
13 Psychiatric, 2328 Nurse Practitioner, 2330 Anesthetist, 2340
14 Operating Room Nurse, 2342 Head Nurse, Surgery, and 2830 Public
15 Health Nurse shall have an unbroken rest period of at least
16 twelve (12) hours between shifts, and of at least fifty-five (55)
17 hours between shifts when said employee is off on the weekend or
18 two (2) consecutive days off, and of at least thirty-one (31)
19 hours between shifts when said employee is off on a holiday or on
20 a single day off. All hours worked within the above rest periods
21 shall be paid at the rate of time and one-half as determined by
22 the 1988-89 Annual Salary Ordinance.

23 This provision may be waived on the request of said employee
24 and the approval of the appointing officer or appropriate
25 designated representative. Employees on call back resume their

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1 regular work schedule on the day after call back. If his/her
2 regular schedule calls for him/her to come in within eight (8)
3 hours after call back, the employee has the option to not work or
4 work at time and one-half until he/she has twelve (12)
5 consecutive hours rest time.

6 V.G. Weekends Off for Nurses. Employees in classes 2320
7 Registered Nurse, 2323 Clinical Nurse Specialist, 2330
8 Anesthetist, 2340 Operating Room Nurse, and 2830 Public Health
9 Nurse shall receive a minimum of two weekends off each month. If
10 any such employee is required to work three (3) consecutive
11 weekends, he/she shall receive time and one-half on the third and
12 succeeding consecutive weekends. Individual nurses have the
13 option to waive this provision with two weeks notice for a
14 specified period of time with the approval of the appointing
15 officer or appropriate designated representative, notwithstanding
16 the provisions of Section II of this ordinance, in order to
17 guarantee two weekends off each calendar month. There shall be
18 no restrictions on split days off. Notwithstanding any
19 other provisions of this ordinance, employees in these
20 classifications shall not work more than six consecutive days if
21 days off are split, or eight consecutive days off are not split.
22 This provision may be waived upon the written request of the
23 employee with the approval of the appointing officer or the
24 designated representative.
25

1 V.H. WEEKEND PREMIUM (Not Applicable to P-103 Per Diem Nurses).
2 Registered Nurses who voluntarily work three of every four
3 weekends shall receive a premium of 10% above their basic hourly
4 wage, including shift and other differentials, for each weekend
5 worked. A weekend schedule is defined as working two separate
6 shifts in the same weekend.

VI. OVERTIME COMPENSATION

7
8 VI.A. Appointing officers may require employees to work longer
9 than the normal work day or longer than the normal work week.
10 Any time worked under proper authorization of the appointing
11 officer or his/her designated representative or any hours
12 suffered to be worked by an employee, in excess of the regular or
13 normal work day or week shall be designated as overtime and shall
14 be compensated at one and one-half times the base hourly rate
15 which may include a night differential if applicable, provided
16 that employees working in a flex-time program shall be entitled
17 to overtime compensation as provided herein when required to work
18 more than eight hours in a day or eighty hours per payroll
19 period. Overtime compensation so earned shall be computed
20 subject to all the provisions and conditions set forth herein.

21 The Civil Service Commission shall determine whether work in
22 excess of eight (8) hours a day performed within a sixteen (16)
23 hour period following the end of the last preceding work period
24 shall constitute overtime or shall be deemed to be work scheduled
25 on the next work day.

1 No appointing officer shall require an employee not
2 designated by a "2" symbol in the Annual Salary Ordinance to work
3 overtime when it is known by said appointing officer that funds
4 are legally unavailable to pay said employee, provided that an
5 employee may voluntarily work overtime under such conditions in
6 order to earn compensatory time off at the rate of time and one-
7 half, pursuant to the provisions of Section VI.B.

8 VI.B. Employees occupying executive, administrative, or
9 professional positions designated by a "2" symbol in the Annual
10 Salary Ordinance shall not be paid for overtime worked, but may
11 be granted compensatory time off at the rate of one and one-half
12 times for time worked in excess of normal work schedules.

13 Non "2" designated employees who are required or suffered to
14 work overtime shall be paid in salary unless the individual
15 employee requests compensatory time off in lieu of paid overtime
16 providing the request is approved by the appointing officer.
17 Compensatory time shall be earned at the rate of time and one-
18 half, request to receive compensatory time shall be made in
19 writing and shall be submitted to the appointing officer or
20 designated representative as soon as possible and in no event
21 later than the end of the first pay period following the pay
22 period in which the overtime was worked. In lieu compensatory
23 time off shall be taken at a time mutually agreeable to the
24 employee and the appointing officer in the fiscal year earned
25 subject to the following conditions:

1) If the appointing officer and the employee are unable
to mutually agree on when time off shall be taken, any
accrued time off shall be paid at the end of the fiscal
year; or,

2) If the appointing officer and the employee mutually
agree, compensatory time off may be taken during the
succeeding six (6) month period following the end of
the fiscal year in which the compensatory time was
earned. However, if the compensatory time cannot be
enjoyed by the employee in said subsequent six (6)
month period, he/she shall be paid in cash.

VI.C. Recordation of Overtime. All overtime worked which is
authorized by the appointing officer shall be recorded on
separate time roll.

VII. HOLIDAYS AND HOLIDAY PAY

VII.A. Except as otherwise provided in Section VII.(B) and
except when normal operations require, or in an emergency,
employees shall not be required to work on the following days
hereby declared to be holidays for such employees:

January 1, the third Monday in January (Martin Luther King,
Jr.'s Birthday), the third Monday in February (Washington's
Birthday), the last Monday in May, July 4, the first Monday in
September (Labor Day), the second Monday in October (Columbus
Day), November 11, Thanksgiving Day, the Day After Thanksgiving,
December 25, any day declared to be a holiday by proclamation of

1 the Mayor after such day has heretofore been declared a holiday
2 by the Governor of the State of California or the President of
3 the United States, and, three additional floating holidays to be
4 taken on days selected by the employee subject to approval of the
5 appointing officer. Both full-time and part-time temporary
6 employees must complete six (6) months continuous service before
7 receiving the additional days, except in the San Francisco
8 Unified School District and the San Francisco Community College
9 District when a particular day has been determined to be a
10 floating holiday for all of the employees in the department;
11 provided further that all part-time temporary employees who are
12 not regularly scheduled, but are employed on an as-needed,
13 irregular intermittent or other irregular basis are ineligible
14 for the additional days.

15 Provided, further, if January 1, July 4, November 11 or
16 December 25 falls on a Sunday, the Monday following is a holiday;
17 except for employees on work schedules other than Monday through
18 Friday.

19 In the event a legal holiday falls on Saturday, the
20 preceding Friday shall be observed as a holiday, provided,
21 however, that except where the Governor declares that such a
22 preceding Friday shall be a legal holiday, each department head
23 shall make provision for the staffing of public offices under
24 his/her jurisdiction on such preceding Friday so that said public
25 offices may serve the public as provided in Section 7.702 of the

1 Charter. Those employees who work on a Friday which is observed
2 as a holiday in lieu of a holiday falling on Saturday shall be
3 allowed a day off in lieu thereof as scheduled by the appointing
4 officer in the current fiscal year.

5 The San Francisco Unified School District and San Francisco
6 Community College District may, for its own employees and
7 employees regularly assigned from other departments, substitute
8 for the holidays declared above an equal number of different
9 holidays.

10 VII.B. Holiday Compensation for Time Worked. Employees required
11 by their respective appointing officers to work on any of the
12 above specified or substitute holidays, excepting Fridays
13 observed as holidays in lieu of holidays falling on Saturday,
14 shall be paid extra compensation of one additional day's pay at
15 time and one-half the usual rate in the amount of twelve (12)
16 hours pay for eight (8) hours worked or a proportionate amount
17 for less than eight (8) hours worked, provided, however, that at
18 the employee's request and with the approval of the appointing
19 officer, an employee may be granted compensatory time off in lieu
20 of paid overtime pursuant to the provisions of Section V.B.
21 herein.

22 Ten (10) and twelve (12) hour shift employee shall receive
23 full holiday compensation for the regularly-scheduled shift
24 worked on a holiday.
25

Executive, administrative and professional employees

designated in the Annual Salary Ordinance with the "z" symbol shall not receive extra compensation for holiday work but may be granted time off equivalent to the time worked at the rate of one and one-half times for work on the holiday.

VII.C. Holidays for Employees on Work Schedules Other Than

Monday Through Friday. Employees assigned to seven day operation departments or employees working on a five day work week other than Monday through Friday shall be allowed another day off if a holiday falls on one of their regularly scheduled days off.

Employees whose holidays are changed because of shift rotations shall be allowed another day off if a legal holiday falls on one of their days off. Employees required to work on a holiday which falls on a Saturday or Sunday shall receive holiday compensation for work on that day. Holiday compensation shall not be paid for work on the Friday preceding a Saturday holiday nor on the Monday following a Sunday holiday.

If the provisions of this section deprive an employee of the same number of holidays that an employee receives who works Monday through Friday, he/she shall be granted additional days off equal to such number of holidays. The designation of such days off shall be by mutual agreement of the employee and the appropriate supervisor with the approval of the appointing officer. Such days off must be taken within the fiscal year. In no event shall the provisions of this section result in such

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employee receiving more or less holidays than an employee on a Monday through Friday work schedule.

VII.D. Holiday Pay for Employees Laid Off. An employee who is laid off at the close of business the day before a holiday who has worked not less than five previous consecutive work days shall be paid for the holiday.

VII.E. Employees Not Eligible for Holiday Compensation. P-103

Per Diem Nurses, persons employed for holiday work only, or persons employed on a part-time work schedule which is less than twenty (20) hours in a biweekly pay period, or persons employed on an intermittent part-time work schedule (not regularly scheduled) or persons on leave without pay status both immediately preceding and immediately following the legal holiday shall not receive holiday pay.

VII.F. Part-Time Employees Eligible for Holidays. Part-time employees who regularly work a minimum of twenty (20) hours in a biweekly pay period shall be entitled to holidays as provided in section VII.B. on a proportionate basis.

Regular full-time employees are entitled to 8/80 or 1/10 time off when a holiday falls in a biweekly pay period, therefore, part-time employees, as defined in the immediately preceding paragraph, shall receive a holiday based upon the ratio of 1/10 of the total hours regularly worked in biweekly pay period. Holiday time off shall be determined by calculating 1/10 of the hours worked by the part-time employee in the biweekly pay

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1 period immediately preceding the pay period in which the holiday
2 falls. The computation of holiday time off shall be rounded to
3 the nearest hour.

4 The proportionate amount of holiday time off shall be taken
5 the same fiscal year in which the holiday falls. Holiday time
6 off shall be taken at a time mutually agreeable to the employee
7 and the appointing officer.

8 Part-time employees who regularly work a minimum of thirty-
9 two (32) hours in a biweekly pay period and work on a holiday
10 shall be entitled to full holiday pay as provided in Section

11 VII.B.

12 VII.C. Time Off for Voting. If an employee does not have

13 sufficient time to vote outside of working hours, the employee
14 may request so much time as will allow time to vote, in
15 accordance with the State Election Code.

16 VII.D. Longevity Leave. Full-time employees in classifications:

17 2322 Head Nurse
18 2324 Nursing Supervisor
19 2326 Nursing Supervisor Psychiatric
20 2342 Head Nurse, Surgery
21 2344 Chief of Surgery, Nurses
22 2350 Instructor of Nursing, Staff
23 Development and Research
24 Assistant Director of Nursing
25 Education
2366 Assistant Director of Nurses,
Laguna Honda Hospital
2368 Assistant Director of Nurses,
San Francisco General Hospital
2832 Supervising Public Health Nurse

1 shall be granted paid longevity leave days to be taken on days
2 selected by the employee subject to approval of the appointing
3 officer and not subject to carry over, as follows:

4 After two years continuous full-time service, one leave day.
5 After five years continuous full-time, two leave days.
6 After seven years continuous full-time service, four leave
7 days.

8 After ten years continuous full-time service, six leave
9 days.

10 Employees working at .8 FTE or above in classifications:

11 2320 Registered Nurse
12 2323 Clinical Nurse Specialist
13 2330 Anesthetist
14 2340 Operating Room Nurse
15 2830 Public Health Nurse
16 Nurse Practitioner

17 shall be granted paid longevity leave days to be taken on days
18 selected by the employee subject to conformity with the Charter
19 and approval of the appointing officer and not subject to
20 carryover, as follows:

21 After two (2) years' continuous permanent service at .8 FTE
22 or above, one (1) leave day.
23 After five (5) years' continuous permanent service at .8 FTE
24 or above, two (2) leave days.
25 After seven (7) years' continuous permanent service at .8
FTE or above, four (4) leave days.
After ten (10) years' continuous permanent service at .8 FTE
or above, six (6) leave days.

VIII. HEALTH INSURANCE

Excluding P-103 Per Diem Nurses

VII.A. Dependent Health Coverage. Nurse shall be reimbursed for the cost of health insurance plan dependent coverage provided by the Health Service System pursuant to the rules of the system. Reimbursement shall be for that portion of the cost of the health plan less the cost of employee only coverage.

VII.B. Dental Insurance. Effective July 1, 1992, the city will increase the benefit to include an orthodontia benefit up to Two Thousand Five Hundred Dollars (\$2500) per eligible insured. In the event the Charter is amended to provide dental insurance to all City employees, this provision shall become void to the extent it is necessary to reimburse or pay employee dependent coverage costs pursuant to Section VIIA above. If, during the term of the current MOU, orthodontia coverage becomes available to City employees through a cafeteria plan or otherwise, such coverage will be made available to bargaining unit employees at their expense.

The City shall, commencing on January 1, 1990, provide, at no cost to the employees, the Teamsters "AA" dental plan for Supervising Nurses.

IX. CHARGE NURSE

IX.A. When assigned by management to perform the full duties of a Head Nurse, a 2320 Registered Nurse shall be paid at the appropriate 2322 Head Nurse step pursuant to Section 24.A(1) and

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Section 25.B of the current MOU. The assignment shall be for a maximum of six (6) months which may be extended by mutual agreement between the nurse and the City. The City shall notify the Union when considering an extension. If in the opinion of the Union, the Acting Head Nurse's extension is unreasonable, the Union may refer the matter to the Monitoring Committee. The Charge Nurse, if an when assigned, shall continue to receive the Charge Nurse premium.

IX.B. Subject to section IX.B, any Staff Nurse or P-103 Per Diem Nurse who is assigned to do work as a charge nurse for four hours or more in a day shall be paid a premium of \$1.20 per hour above the base hourly rate of pay for such hours actually assigned. In the event that a Staff Nurse or P-103 Per Diem Nurse is assigned to work concurrently in more than one ward per shift at Laguna Honda Hospital, such nurse will receive a double charge nurse premium.

X. SALARY STEP PLAN AND SALARY ADJUSTMENT.

X.A. Appointments to positions in the City and County service shall be at the entrance rate established for the position except as otherwise provided herein.

X.A.1. Promotive Appointment in Higher Class. An employee or officer who is a permanent appointee following completion of the probationary period of six months of permanent service, and who is appointed to a position in a higher classification, either permanent or temporary, deemed to be promotive by the Civil

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1 Service Commission shall have his/her salary adjusted to that
2 step in the promotive class as follows:
3 (a) If the employee is receiving a salary in his/her
4 present classification equal to or above the entrance step of the
5 promotive class, the employee's salary in the promotive class
6 shall be adjusted to two steps in the compensation schedule over
7 the salary received by the lower class but not above the maximum
8 of the salary range of the promotive classification.

9 (b) If the employee is receiving a salary in his/her
10 present classification which is less than the entrance step of
11 the salary range of the promotive classification, the employee
12 shall receive a salary step in the promotive class which is
13 closest to an adjustment of 7-1/2% above the salary received in
14 the class from which promoted. The proper step shall be
15 determined by the biweekly compensation schedule and shall not be
16 above the maximum of the salary range of the promotive
17 class.

18 (c) If the appointment deemed promotive described in
19 X.A.1. above is a temporary appointment, and the employee,
20 following a period of continuous service at least equal to the
21 prescribed probationary period is subsequently given another
22 appointment either permanent or temporary, deemed promotive from
23 the prior temporary appointment class, the salary step in the
24 subsequent promotive appointment shall be deemed promotive in
25 accordance with Sections X.A.1.(A) and (B).

1 X.A.2. Limited Tenure to Promotive. A limited tenure
2 appointee who accepts appointment to a promotive position from a
3 regular eligible list shall have his/her salary in the promotive
4 appointment based on the salary in his/her regular civil service
5 next lower rank position from which he/she gained promotive
6 eligibility, except as herein provided.

7 If the following conditions are met, the salary in the
8 promotive appointment shall be not less than the salary received
9 under limited tenure appointment:

10 X.A.2.(a). That the employee was serving under
11 permanent limited tenure appointment for at least six months
12 immediately prior to accepting such regular promotive
13 appointment.

14 X.A.2.(b). That the employee received a salary above
15 the entrance rate of the compensation schedule in the permanent
16 limited tenure appointment.

17 X.A.2.(c). That if the salary steps in the limited
18 tenure class and the regular promotional class do not match, the
19 employee shall be advanced to the salary step in the compensation
20 schedule nearest that received in the limited tenure appointment.

21 X.A.2.(d). Further increments in the compensation
22 schedule in the regular promotive class shall be based on the
23 date of permanent appointment to the regular promotional
24 appointment.
25

X.A.3. Nonpromotive Appointment.

(a) When an employee who is a permanent appointee, occupying a permanent position, following completion of the probationary period or six months of permanent service, accepts a nonpromotive appointment in a classification having a higher salary schedule, the appointee shall enter the new position at that salary fixed for such class (including seniority increments) in the schedules of compensation which is immediately in excess of the salary which the employee received immediately prior to his/her appointment to such position.

(b) When such employee accepts a nonpromotive appointment in a classification having the same salary schedule, or a lower salary schedule, the appointee shall enter the new position at that salary step which is the same as that received in the prior appointment, or if the salary steps do not match, then the salary step which is immediately in excess of that received in the prior appointment, provided that such salary shall not exceed the maximum of the salary schedule. Further increments shall be based upon the seniority increment anniversary date in the prior appointment.

X.A.4. Appointment Above Entrance Rate. Upon the request of an appointing officer, permanent or exempt appointments may be made at any step in the compensation schedule upon recommendation of the General Manager, Personnel and the approval of the Civil Service Commission under the following

conditions:

(a) A former permanent City employee, following resignation with service satisfactory, is being reappointed to a permanent position in his/her former classification;

(b) Loss of compensation would result if appointee accepts position at the normal step;

(c) A severe, easily demonstrated and documented recruiting and retention problem exists, such that all city appointments in the particular class should be above the normal step; and

(d) The Controller certifies that funds are available.

X.A.5. Determination of Pay for Position Formerly Exempt.

When a position in the municipal service has been exempt from the Salary Standardization provisions of the Charter and becomes subject thereto, or when a position becomes subject to the Salary Standardization provisions of the Charter through acquisition of a public utility, the salary of the employee holding such position shall be calculated by including credit for continuous paid or nonpaid service in the position immediately prior to its becoming subject to salary standardization.

X.A.6. Appointive Position. An employee who holds an appointive position whose services are terminated, through lack of funds or reduction in force, and is thereupon appointed to another appointive position with the same or lesser salary

1 schedule, shall receive a salary in the second position based
2 upon the relationship of the duties and responsibilities and
3 length of prior continuous service as determined by the Civil
4 Service Commission.

5 X.A.7. Reappointment Within Six Months. A permanent
6 employee who resigns and is subsequently reappointed to a
7 position in the same classification within six (6) months of the
8 effective date of resignation shall be reappointed to the same
9 salary step that the employee received at the time of
10 resignation.

11 X.B. Compensation Adjustments.

12 X.B.1. When an employee promoted to a higher classification
13 during a prior fiscal year receives a lesser salary than if
14 promoted in the same class and from the same salary step during
15 the current fiscal year, his/her salary shall be adjusted on July
16 1, to the rate he/she would have received had he/she been
17 promoted in the current fiscal year.

18 The Civil Service Commission is hereby authorized to adjust
19 the salary and anniversary increment date of any employee
20 promoted from one class to a higher classification who would
21 receive a lesser salary than an employee promoted at a later date
22 to the same classification from the same salary step in the same
23 base class from which the promotional examination was held.

24 X.B.2. When a classification that was formerly a next
25 lower rank in a regular civil service promotional examination

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1 receives through salary standardization a salary schedule higher
2 than the salary schedule of the classification to which it was
3 formerly promotive, the Civil Service Commission shall authorize
4 a rate of pay to an employee who was promoted from such lower
5 class equivalent to the salary he/she would have received had
6 he/she remained in such lower class, provided that such employee
7 must file with the Civil Service Commission an approved request
8 for reinstatement in accordance with the provisions of the Civil
9 Service Commission rule governing reinstatements to the first
10 vacancy in his/her former classification and provided, further,
11 that the increased payment shall be discontinued if the employee
12 waives an offer of promotion from his/her current classification
13 or refuses an exempt appointment to a higher classification.
14 This provision shall not apply to offers of appointment which
15 would involve a change of residence.

16 The special rate of pay herein provided shall be
17 discontinued if the employee fails to file and compete in any
18 promotional examination for which he/she is otherwise qualified,
19 and which has a compensation schedule higher than the protected
20 salary of the employee.

21 X.B.3. When an employee is promoted under temporary
22 appointment to a higher classification during a prior fiscal year
23 and is continued in the same classification without a break in
24 service in the current fiscal year, or is appointed to a
25 permanent position in the same classification, such appointment

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1 shall be in accordance with the provisions of this ordinance,
2 provided that the salary shall not be less than the same step in
3 the salary schedule the employee received in the immediately
4 prior temporary appointment.

5 X.B.4. A temporary employee certified from a regular civil
6 service entrance list who has completed six months or more of
7 temporary employment within the immediately preceding one year
8 period before appointment to a permanent position in the same
9 class shall be appointed at the next higher step in the salary
10 schedule and to successive steps upon completion of the six
11 months or one year required service from the date of permanent
12 appointment. These provisions shall not apply to temporary
13 employees who are terminated for unsatisfactory services or
14 resign their temporary position.

15 X.B.5. Permanent employees working under limited tenure
16 appointment in other classifications or temporary appointments
17 from eligible lists in other classifications shall have their
18 salary adjusted in the limited tenure or temporary class when
19 such employees reach their salary anniversary date in their
20 permanent class.

21 X.B.6. A provisional appointee in a permanent position in
22 bargaining unit 118 who accepts a permanent appointment in the
23 same class from a regular eligible list shall have his/her salary
24 step in the permanent appointment based on the date of
25 provisional appointment, provided the employee has served in the

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1 provisional appointment at least one continuous year immediately
2 prior to the permanent appointment.

3 X.C. Compensation Upon Transfer or Re-Employment

4 X.C.1. An employee transferred in accordance with civil
5 Service Commission rules from one department to another, but in
6 the same classification, shall transfer at his/her current
7 salary, and if he/she is not at the maximum salary for the class,
8 further increments shall be allowed following the completion of
9 the required service based upon the seniority increment
10 anniversary date in the former department.

11 X.C.2. An employee who has acquired permanent status in a
12 position and who is laid off because of lack of work or funds and
13 is re-employed in the same class after such layoff shall be paid
14 a salary which included credit for actual time served, either
15 permanent or temporary, in the class prior to the layoff.

16 X.C.3. An employee who has completed the probationary
17 period in a promotive appointment that is two or more steps
18 higher in an occupational series than the permanent position from
19 which promoted who is subsequently laid off and returned to a
20 position in an intermediate ranking classification shall receive
21 a salary based upon actual permanent service in the higher
22 classification, unless such salary is less than the employee
23 would have been entitled to if promoted directly to the
24 intermediate classification. Further increments shall be based
25 upon the increment anniversary date that would have applied in

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1 the higher classification.

2 X.C.4. An employee who has completed the probationary
3 period in an entrance appointment who is laid off and is returned
4 to a classification formerly held on a permanent basis shall
5 receive a salary based upon the original appointment date in the
6 classification to which the employee is returned. An employee
7 who is returned to a classification not formerly held on a
8 permanent basis shall receive a salary in accordance with Section
9 IX.A.3.(B) of this ordinance.

10 X.D. Notwithstanding any of the other provisions of this
11 ordinance, no employee working in a federally funded position
12 shall be paid at a rate less than the established federal minimum
13 wage if that is a condition upon receipt of the federal funds.

14 X.E. Longevity Premium. Permanent employees in classifications:

15 2320 Registered Nurse
16 2323 Clinical Nurse Specialist
17 2330 Anesthetist
18 2340 Operating Room Nurse
19 2830 Public Health Nurse
20 2328 Nurse Practitioner

21 with ten years or more continuous full-time or part-time service
22 in any nurse classification shall be entitled to a longevity
23 premium of \$0.30 per hour in addition to their basic hourly rate.

24 Employees in classifications:

25 2322 Head Nurse
2324 Nursing Supervisor
2326 Nursing Supervisor Psychiatric
2342 Head Nurse, Surgery
2344 Chief of Surgery, Nurses
2350 Instructor of Nurses

Page 33

BOARD OF SUPERVISORS

2352 Assistant Director of Nursing,
Staff Development and Research
2366 Assistant Director of Nurses,
Laguna Honda Hospital
2368 Assistant Director of Nurses,
San Francisco General Hospital
2832 Supervising Public Health Nurse
2369 Director of Nurses
Laguna Honda Hospital
2370 Director of Nurses
San Francisco General

with ten years or more continuous full-time or part-time service
shall be entitled to a longevity premium of \$0.36 per hour in
addition to their basic hourly rate.

XI. METHODS OF CALCULATION.

XI.A. Monthly - An employee whose compensation is fixed on a
monthly basis shall be paid monthly or biweekly in accordance
with state law or other applicable provision. There shall be no
compensation for time not worked unless such time off is
authorized time with pay.

XI.B. Biweekly - An employee whose compensation is fixed on a
biweekly basis shall be paid the biweekly salary for his/her
position for work performed during the biweekly payroll period.
There shall be no compensation for time not worked unless such
time off is authorized time off with pay.

XI.C. Per Diem or Hourly - An employee whose compensation is
fixed on a per diem or hourly basis shall be paid the daily or
hourly rate of work performed during the biweekly payroll period
on a biweekly pay schedule. There shall be no compensation for
time not worked unless such time off is authorized time off with

Page 34

BOARD OF SUPERVISORS

1 pay.

2 XI. D. Weekly - An employee whose compensation is fixed on a
3 weekly basis shall be paid biweekly for work performed during the
4 biweekly payroll period. There shall be no compensation for time
5 not worked unless such time off is authorized time off with pay.

6 XI. E. Conversion of Annual or Monthly Rates to Semi-Monthly or

7 Biweekly Rates When rates of compensation provided on an annual
8 or monthly basis are converted to biweekly rates for payroll
9 purposes and the resulting amount involves a fraction of a cent,
10 the converted biweekly rate shall be adjusted to eliminate such
11 fraction of a cent on a following basis:

12 1. A fraction of less than one-half ($1/2$) shall be
13 dropped and the amount reduced to the next full cent.

14 2. A fraction of one-half ($1/2$) or more shall be
15 increased to the next full cent.

16 XI. F. Daily Rates for Monthly and Biweekly Employees - A day's
17 pay shall be determined by dividing the number of work days in a
18 normal work schedule in a monthly payroll period (including
19 specified holidays) into the monthly salary established for the
20 position, or the amount of a day's pay shall be $1/10$ th of the
21 compensation of a normal work schedule in a biweekly period
22 (including specified holidays).

23 XI. G. Conversion to Biweekly Rates - Rates of compensation
24 established on other than biweekly basis may be converted to
25 biweekly rates by the Controller for payroll purposes.

Page 35

BOARD OF SUPERVISORS

1 SECTION XII. SENIORITY INCREMENTS.

2 XII. A. Entry at the First Step for Staff Nurses and Supervisory
3 Nurses. Permanent registered nurses appointed at Step One shall
4 advance to the second step upon completion of six months of
5 service. Such nurses shall advance to Step Three, Step Four and
6 Step Five upon completion of one year required service at the
7 prior step. Such nurses shall advance to Step Six upon
8 completion of two years of service at Step Five. Permanent
9 supervisory nurses in bargaining unit 11-B and permanent nurses
10 in unrepresented classes with one year of service at Step Six
11 shall advance to Step Seven, subject to a "competent and
12 effective" performance evaluation rating in clinical areas.

13 XII. B. Entry at Other Than the First Step for Staff Nurses and
14 Supervisory Nurses. Newly employed permanent, temporary and
15 provisional employees in registered nurse classifications
16 (excluding P-103 Per Diem Nurses) shall be appointed at the
17 second salary step if they have three (3) years' experience
18 within the last five (5) years prior to appointment. Such
19 permanent employees shall advance at one (1) year intervals to
20 Step Three through Step Five. Permanent Registered Nurses shall
21 advance to Step Six upon completion of two years of service at
22 step five. Permanent supervisory nurses in bargaining unit 11-B
23 and permanent nurses in unrepresented classes with one year of
24 service at Step Six shall advance to Step Seven, subject to a
25 "competent and effective" performance evaluation rating in

Page 36

BOARD OF SUPERVISORS

1 clinical areas.

2 Newly employed permanent, temporary and provisional
3 employees in registered nurse classifications (excluding P-103
4 Per Diem Nurses) shall be appointed at the third salary step if
5 they have had six (6) years of experience within the last ten
6 (10) years prior to appointment. Permanent employees shall
7 advance at one (1) year intervals thereafter to Step Four through
8 Step Five. Permanent Registered Nurses shall advance to Step Six
9 upon completion of two years of service at Step Five. Permanent
10 supervisory nurses in bargaining unit 11-B and permanent nurses
11 in unrepresented classes with one year of service at Step Six
12 shall advance to Step Seven, subject to a "competent and
13 effective" performance evaluation rating in clinical areas.

14 XII.C. Steps for P-101 Per Diem Nurses. P-103 Per Diem Nurses
15 who have completed one year of service and 1000 hours of service
16 shall advance to Step Two of the per diem salary schedule. P-103
17 Per Diem Nurses who have completed one year of service and 1000
18 hours of service at Step Two shall advance to Step Three.

19 XII.D. Date Increment Due. Increments shall accrue and become
20 due and payable on the next day following completion of required
21 service as a permanent employee in the class, unless otherwise
22 provided herein.

23 XII.D. Schedule of Salary Increments. The schedule of seniority
24 increments as set forth at the end of Section XIV is hereby made
25 a part of the schedules of compensation.

Page 37

BOARD OF SUPERVISORS

1 XII.E. Exceptions. An employee shall not receive a salary
2 adjustment based upon service as herein provided if he/she has
3 been absent by reason of suspension or on any type of leave
4 without pay (excluding a military, educational, or industrial
5 accident leave) for more than one-sixth of the required service
6 in the anniversary year, provided that such employee shall
7 receive a salary increment when the aggregate time worked since
8 his/her previous increment equals or exceeds the service required
9 for the increment, and such increment date shall be his/her new
10 anniversary date, provided that time spent on approved military
11 leave or in an appointive or promotive position shall be counted
12 as actual service when calculating salary increment due dates.

13 When records of service required for advancement in the step
14 increments within a compensation schedule are established and
15 maintained by electronic data processing, then the following
16 shall apply:

17 An employee certified to permanent appointment or appointed
18 to a permanent position exempt from civil service shall be
19 compensated under such appointment at the beginning step of the
20 compensation schedule plan, unless otherwise specifically
21 provided for in the salary standardization ordinance. Employees
22 under permanent civil service appointment shall receive salary
23 adjustments through the steps of the compensation schedule plan
24 by completion of actual paid service in total scheduled hours
25 equivalent to one year or six months, whichever is applicable.

Page 38

BOARD OF SUPERVISORS

1 Paid service for this purpose is herein defined as exclusive
2 of any type of overtime but shall include military or educational
3 leave without pay.

4 Advancement through the increment steps of the compensation
5 schedules shall accrue and become due and payable on the next day
6 following completion of required service as a permanent appointee
7 in the class, provided that the above procedure for advancement
8 to the compensation schedule increment steps is modified as
9 follows:

10 XII.B.1. An employee who during the portion of his/her
11 anniversary year prior to January 1, 1988, is absent without pay
12 for a period of less than one-sixth of the time required to earn
13 the next increment will have such absence credited as if it were
14 paid service for the purposes of calculating the date of the
15 increment due during calendar year 1988.

16 XII.B.2. An employee who during that portion of his/her
17 anniversary year prior to January 1, 1988, is absent without pay
18 for a period in excess of one-sixth of the time required to earn
19 the next prior increment will be credited with actual paid
20 service prior to January 1, 1988.

21 XIII. ADMINISTRATION OF THE PROVISIONS OF THIS ORDINANCE.

22 The grievance procedure referred to in a memorandum of
23 understanding with the Board of Supervisors shall be utilized to
24 resolve all problems or questions of the interpretation which may
25 arise in connection with the administration of the provisions of

Page 39

BOARD OF SUPERVISORS

1 this ordinance until such time as the Civil Service Commission
2 amends Rule 18 with regard to arbitration. At such time as Civil
3 Service Commission Rule 18 is amended, the grievance procedure
4 referred to in the memorandum of understanding shall become
5 inoperative and Rule 18 shall become the appropriate grievance
6 procedure.

7 In the absence of a memorandum of understanding grievance
8 procedure, problems or questions of interpretation which may
9 arise in connection with the administration of the provisions of
10 this ordinance shall be determined by the General Manager,
11 Personnel, after meeting and conferring with the employee or
12 employee organization affected until such time as the Civil
13 Service Commission amends Rule 18 with regard to arbitration. At
14 such time as Civil Service Commission Rule 18 is amended, Rule 18
15 shall become the appropriate procedure to resolve problems or
16 questions of interpretation which may arise in connection with
17 the administration of the provisions of this ordinance.

18 SECTION XIV. SCHEDULES OF COMPENSATION

19 The schedules of compensation for the respective
20 classifications of employment subject to the provisions of
21 Section 8.403 of the Charter are attached as APPENDIX 1.

22 Rates for employees' classes are on a biweekly basis for a
23 normal work schedule of five days per week, eight hours per day.
24
25

XV. EFFECTIVE DATES

This Ordinance shall take effect on July 1, 1992.

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BOARD OF SUPERVISORS

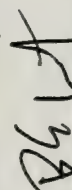
CITY AND COUNTY OF SAN FRANCISCO
92-93 REGISTERED NURSE RATES

CLASSIFICATION	1 SAL. SCH.	2 BW/HR	3 BW/HR	4 BW/HR	5 BW/HR	6 BW/HR	7 BW/HR
2320 Registered Nurse	1849.60 23.12	1912.80 23.91	1976.00 24.70	2038.40 25.48	2100.80 26.26	2163.20 27.04	2225.60 27.82
2322 Head Nurse	85.6	2242 28.0250	2354 29.4250	2472 30.8000	2596 32.1500	2726 33.5000	2862 34.8500
2323 Clinical Nurse Specialist	64.2	2094 26.1750	2199 27.4675	2309 28.8625	2424 30.2500	2545 31.6250	2671 33.0000
With Master's Degree	66.2	2309 28.8625	2424 30.2500	2545 31.6250	2671 33.0000	2800 34.3750	2930 35.7500
2324 Nursing Supervisor (Z)	67.0	2401 30.0125	2521 31.5125	2647 33.0125	2779 34.5125	2918 36.0125	3068 37.5125
2328 Nursing Supervisor, Psychiatric (Z)	67.0	2401 30.0125	2521 31.5125	2647 33.0125	2779 34.5125	2918 36.0125	3068 37.5125
With Master's Degree	67.6	2472 30.8000	2596 32.4500	2726 34.0750	2862 35.7500	3005 37.0625	3168 38.5000
2328 Nurse Practitioner	64.1	2084 26.0500	2188 27.3500	2297 28.7125	2412 30.1500	2533 31.5625	2669 33.0000
2330 Anesthetist	69.9	2784 34.5000	2902 36.2750	3047 38.0625	3199 39.8625	3359 41.6625	3529 43.4625
2340 Operating Room Nurse	—	1849.60 23.12	1912.80 23.91	1976.00 24.70	2038.40 25.48	2100.80 26.26	2163.20 27.04
2342 Head Nurse, Surgery	65.6	2242 28.0250	2354 29.4250	2472 30.8000	2596 32.1500	2726 33.5000	2862 34.8500
2344 Chief of Surgery, Nurses (Z)	70.5	2847 35.5675	2999 37.3625	3136 39.2250	3295 41.1875	3460 43.1500	3634 45.1125
2350 Instructor of Nursing (Z)	67.0	2401 30.0125	2521 31.5125	2647 33.0125	2779 34.5125	2918 36.0125	3068 37.5125
2352 Assistant Director of Nursing (Z)	70.5	2847 35.5675	2999 37.3625	3136 39.2250	3295 41.1875	3460 43.1500	3634 45.1125
2366 Assistant Director of Nursing, LHH (Z)	70.5	2847 35.5675	2999 37.3625	3136 39.2250	3295 41.1875	3460 43.1500	3634 45.1125

XVI. SAVINGS CLAUSE

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or contrary to law, such decision shall not affect the validity of the remaining portions of this ordinance. If any salary, wage or schedule of compensation herein fixed is held to be contrary to the provisions of the Charter, other law or statute, such decisions shall not affect the validity of any other salary, wage or schedule of compensation fixed in this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause or phrase hereof, and approved and adopted each salary, wage or schedule of compensation herein, irrespective of the fact that any one or more other section, subsection, clause or phrase may be declared unconstitutional, or that any other salary, wage or schedule of compensation may be declared contrary to law.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By 
Deputy City Attorney

2368 Assistant Director of Nursing, SFGH (2)	70.5	2947	2988	3138	3295	3460	3564	3671
2369 Director of Nurses, LHM (2)	73.8	3346	3513	3688	3873	4067	4189	4315
2370 Director of Nurses, SFGH (2)	73.8	3346	3513	3688	3873	4067	4189	4315
2394 Central Processing and Distribution Supervisor (2)	64.7	2145	2262	2365	2483	2607	2685	2768
2830 Public Health Nurse (2)	64.2	2094	2199	2309	2424	2545	2621	2705
2832 Supervising Public Health Nurse (2)	69.0	2647	2779	2918	3064	3217	3314	3413
2833 Public Health Nursing Administrator (2)	70.4	2835	2977	3128	3282	3446	3549	3655
2838 Director of Public Health Nursing (2)	73.9	3359	3527	3703	3888	4082	4204	4330
P103 Special Nurse	—	28,8013	29,8868	30,8700	31,8544	32,8388	33,8232	34,8076

Board of Supervisors, San Francisco

Passed for Second Reading

Finally Passed

June 22, 1992

June 29, 1992

Ayes: Supervisors Achtenberg Conroy
Gonzalez Hallinan Helen Kennedy
Maher Milden Shelley

Absent: Supervisors Altoro Brito

Ayes: Supervisors Achtenberg Brito
Conroy Gonzalez Hallinan Helen
Kennedy Maher Milden Shelley

Absent: Supervisor Altoro

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

JUL 13 1992

Date Approved

[Signature]
Mayor

File No.
103-92-1

(Zoning Map Change, 90.035ZEC)

ADOPTING CHANGES IN THE HEIGHT AND BULK CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO FOR PROPERTY LOCATED ON THE BLOCK BOUNDED BY BERRY, 4TH AND 3RD STREETS AND CHINA BASIN CHANNEL, ASSESSOR'S BLOCK 3803, FROM A 40-X TO A 60-X DISTRICT AND ADOPTING FINDINGS PURSUANT TO SECTION 101.1.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to the Resolution of the Board of Supervisors, adopting the final negative declaration as its own, and pursuant to Section 302(c) of the City Planning Code, Part II, Chapter II of the San Francisco Municipal Code, the following change in building height and bulk classification, duly approved by resolution of the City Planning Commission, is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco.

Description of Property	Height and Bulk District		Superseded		Approved	
	Bulk District	Height and Bulk District	40-X	60-X		
Beginning at the point of intersection of the southeasterly line of Berry Street and the southwesterly line of Third Street; running thence southeasterly along said line of Third Street 234.17 feet; thence southeasterly at an angle of 12 degrees 12' 20"						

BOARD OF SUPERVISORS

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to the right from said line of Third Street, a distance of 41.774 feet to a point in the northwesterly line of Channel Street; thence southwesterly at an angle of 77 degrees 47' 40" to the right from last described course and along said line of Channel Street, 816.168 feet to a point in the northeasterly line of Fourth Street; thence northwesterly at right angles from said line of Channel Street and along said line of Fourth Street 275 feet to the southeasterly line of Berry Street; thence at a right angle northeasterly along said line of Berry Street 825 feet to the point of beginning.

Section 2. The San Francisco Board of Supervisors hereby finds that this ordinance is on balance consistent with the Priority Policies in Section 101.1 of the San Francisco Municipal Code (the City Planning Code) and consistent with the Master Plan and adopts the findings in City Planning Commission Resolution No. 13339 related to the Eight Priority Policies of Section 101.1 of the Planning Code and the Master Plan.

APPROVED AS TO FORM

RECOMMENDED:

LOUISE RENNE, CITY ATTORNEY

CITY PLANNING COMMISSION

By

Deputy City Attorney

By

Lucian R. Blazej

Acting Director of Planning

BOARD OF SUPERVISORS

- 2 -

90.035ZEC

Board of Supervisors, San Francisco

Passed for Second Reading

June 29, 1992

Finally Passed

July 6, 1992

Ayes: Supervisors Achtemberg Britt
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley

Ayes: Supervisors Achtemberg Conroy
Hallinan Hsieh Maher Migden
Shelley
Absent: Supervisors Alioto Britt
Gonzalez Kennedy

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

JUL 10 1992

Date Approved

Clerk

Mayor

File No.
36-92-3.1

1 AUTHORIZATION SETTLEMENT OF LITIGATION OF DAVID CHAN, ET AL. V.
 2 CITY AND COUNTY OF SAN FRANCISCO, ET AL. AGAINST THE CITY AND
 3 COUNTY OF SAN FRANCISCO for \$10,640.00.
 4

5 Be it ordained by the People of the City and County of San
 6 Francisco:

7 Section 1. The City Attorney is hereby authorized to
 8 settle the action entitled "DAVID CHAN, et al. v. CITY AND COUNTY
 9 OF SAN FRANCISCO, et al." Municipal Court No. 056-969 by the
 10 payment of \$10,640.00.
 11

12 APPROVED AS TO FORM
 13 AND RECOMMENDED:

14 LOUISE H. RENNE
 15 City Attorney

16 KIMBERLY REILEY CLEMENT
 17 Chief Trial Deputy

18 GEORGE M. H. SCHWELL
 19 Team Leader/Supervisor

20 FUNDS AVAILABLE:

21 Edward M. Harrington
 22 Controller

23 MAY 15 1992

01 001 97 09 90
 309674 1450 \$10,640.00

BOARD OF SUPERVISORS

RECOMMENDED:
 DEPARTMENT OF PUBLIC WORKS

JOHN E. CRIBBS
 Director

APPROVED:

RUDOLF NOTENBERG
 Chief Administrative Officer

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JUL 23 1992

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Board of Supervisors, San Francisco

Passed for Second Reading

June 29, 1992

§ Finally Passed

§ July 6, 1992

Ayes: Supervisors Achtenberg Britt
 Conroy Gonzalez Hallinan Hsieh
 Kennedy Maher Migden Shelley

§ Ayes: Supervisors Achtenberg Conroy
 Hallinan Hsieh Maher Migden
 Shelley

Absent: Supervisor Alioto

§ Absent: Supervisors Alioto Britt
 Gonzalez Kennedy

I hereby certify that the foregoing ordinance
 was finally passed by the Board of Supervisors
 of the City and County of San Francisco

JUL 10 1992

File No.
 45-92-24

Date Approved

Mayet

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF JAMES PAN V. THE CITY AND COUNTY OF SAN FRANCISCO ASSESSOR'S OFFICE for \$16,829.40.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "JAMES PAN V. CITY AND COUNTY OF SAN FRANCISCO ASSESSOR'S OFFICE", United States District Court No. C90-0601 VRW, by the payment of \$16,829.40.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DORIS WARD
Assessor

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

01 001 97 09 02
310110 1450 \$16,829.40
51171.

MAY 15 1992

BOARD OF SUPERVISORS

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JUL 23 1992

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Board of Supervisors, San Francisco

Passed for Second Reading

June 29, 1992

July 6, 1992

Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Haieh
Kennedy Maher Migden Shelley

Absent: Supervisor Alioto

Ayes: Supervisors Achtenberg Conroy
Hallinan Haieh Maher Migden
Shelley

Absent: Supervisors Alioto Britt
Gonzalez Kennedy

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

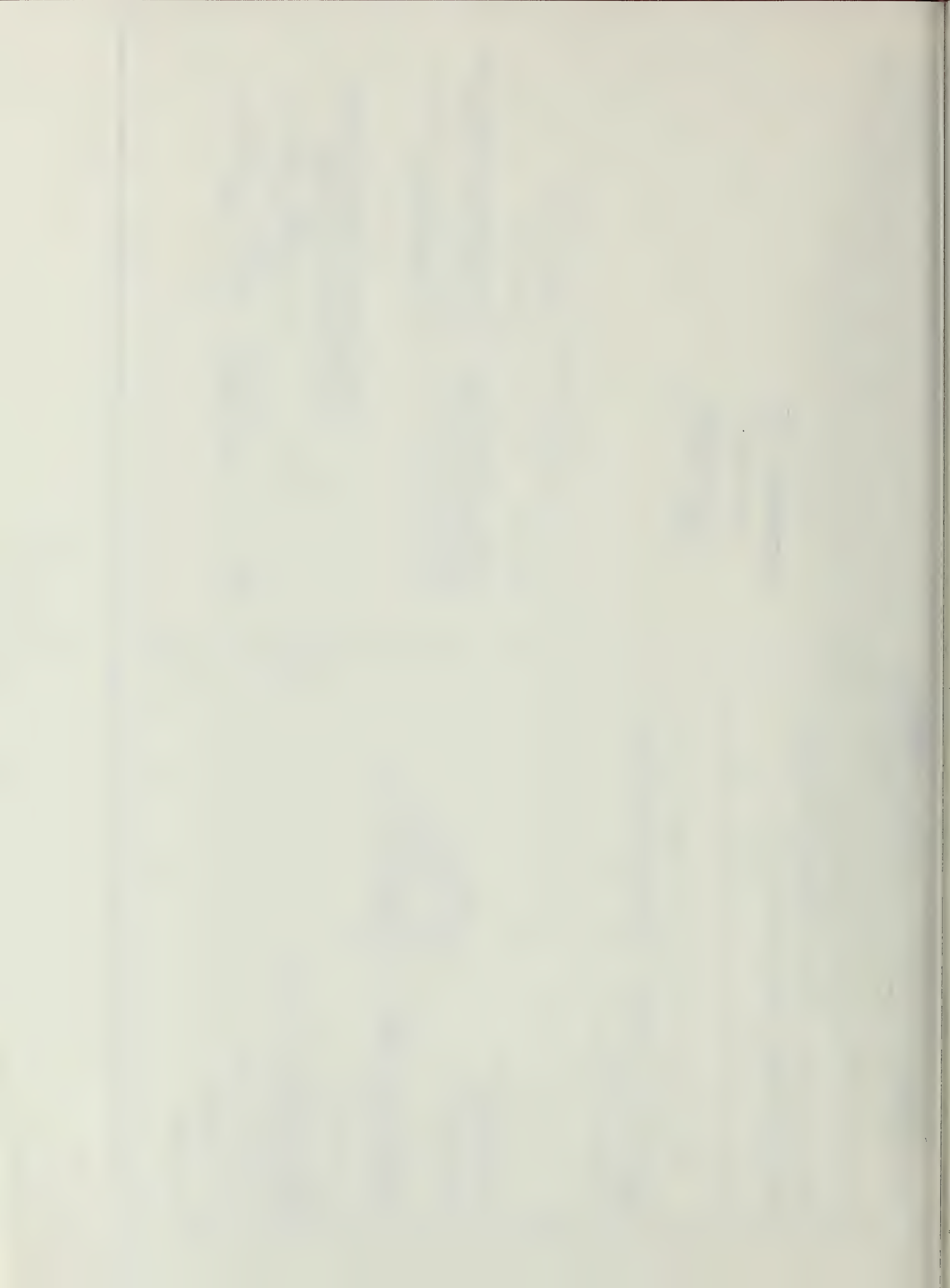
File No.
45-92-25

JUL 10 1992

Date Approved

Clerk

Mayor



[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF DEBORAH LOLLIE-JACKSON AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for \$30,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "DEBORAH LOLLIE-JACKSON v. CITY AND COUNTY OF SAN FRANCISCO AND ARLO SMITH," United States District Court No. C85-4925JPV, an offer of judgment pursuant to F.R.C.P. Rule 68 for the payment of \$30,000. This settlement does not include attorneys fees, which will be litigated in a separate proceeding.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE

City Attorney

KIMBERLY A. CLEMENT
Chief Trial Deputy

RECOMMENDED:

JONATHAN V. HOLYZMAN
Special Assistant
to the City Attorney

FUNDS AVAILABLE:

ED HARRINGTON
Controller

01 001 97 09 04

309732 1450 \$30,000.00

MAY 27 1992

52731

BOARD OF SUPERVISORS

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JUL 23 1992

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Board of Supervisors, San Francisco

Passed for Second Reading

June 29, 1992

Finally Passed

July 6, 1992

Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley

Ayes: Supervisors Achtenberg Conroy
Hallinan Hsieh Maher Migden
Shelley

Absent: Supervisor Alioto

Absent: Supervisors Alioto Britt
Gonzalez Kennedy

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

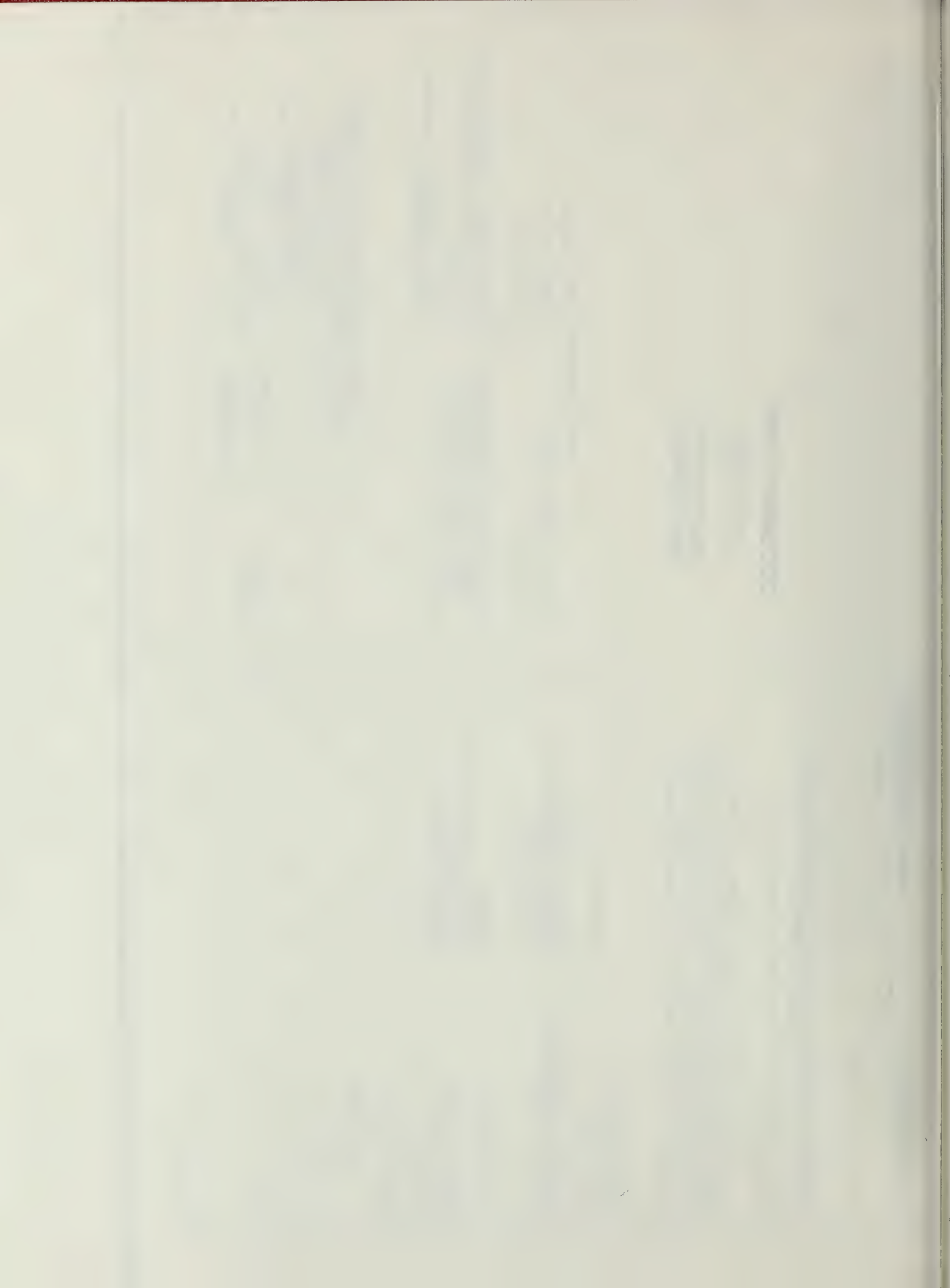
File No.
45-92-27

JUL 10 1992

Date Approved

Clerk

Mayor



1 (SETTLEMENT OF LAWSUIT)

2 AUTHORIZING SETTLEMENT OF LITIGATION OF TERWAY CAR RENTAL, INC., V.

3 CITY AND COUNTY OF SAN FRANCISCO FOR \$24,233.52.

4

5 Be it ordained by the People of the City and County of San Francisco:

6 Section 1. The City Attorney is hereby authorized to settle

7 the action entitled "TERWAY CAR RENTAL, INC., V. CITY AND COUNTY OF

8 SAN FRANCISCO" Municipal Court No. 062-460 by the payment of

9 \$24,233.52.

10

11 APPROVED AS TO FORM
AND RECOMMENDED:

RECOMMENDED:

12 LOUISE H. RENNE

City Attorney

13 *Kimberly Clement*

KIMBERLY CLEMENT

Chief Trial Deputy

15 FUNDS AVAILABLE:

16

17

18 *John W. Hodder*

CONTROLLER

36 001 86 01 00

462580 1090 \$24,233.52

21 MAY 22 1992

22

23

24

25 1290W

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JUL 23 1992

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Board of Supervisors, San Francisco

Passed for Second Reading

June 29, 1992

\$ Finally Passed

\$ July 6, 1992

Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Haieh
Kennedy Maher Migden Shelley\$ Ayes: Supervisors Achtenberg Conroy
Hallinan Haieh Maher Migden
Shelley

Absent: Supervisor Alioto

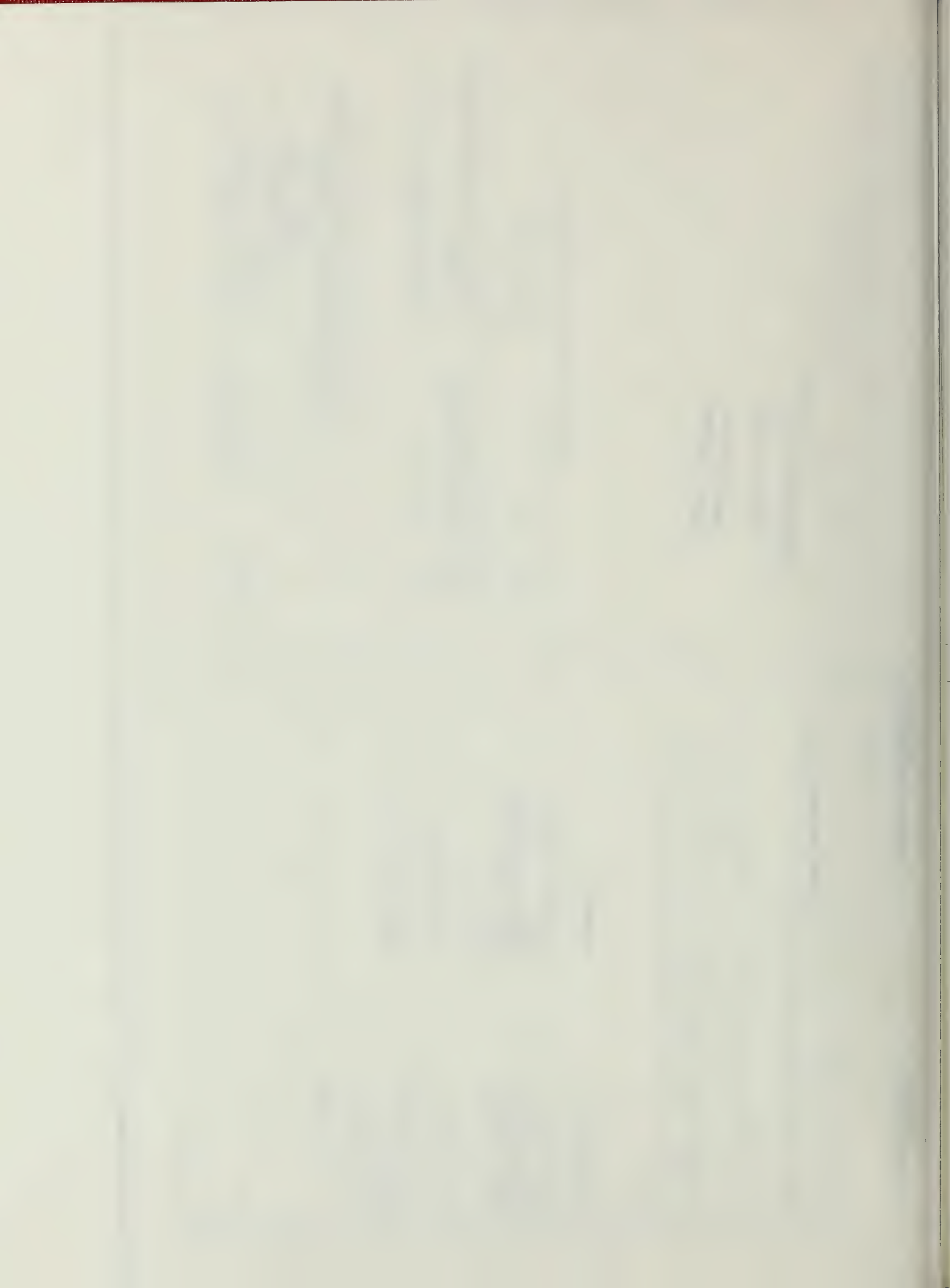
\$ Absent: Supervisors Alioto Britt
Gonzalez KennedyI hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San FranciscoFile No.
45-92-28

JUL 10 1992

Date Approved

Clerk

Mayor



1 [SETTLEMENT OF LAWSUIT]

2 AUTHORIZING SETTLEMENT OF LITIGATION OF SANDRA GLOSSER AGAINST

3 THE CITY AND COUNTY OF SAN FRANCISCO for \$7,000.

5 Be it ordained by the People of the City and County of

6 San Francisco:

7 Section 1. The City Attorney is hereby authorized to

8 settle the action entitled "Sandra Glosser v. City and County of

9 San Francisco," San Francisco Superior Court No. 924-606, by the

10 payment of \$7,000.

12 APPROVED AS TO FORM

13 AND RECOMMENDED:

14 LOUISE H. RENNE
City Attorney16 KIMBERLY RHILEY CLEMENT
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

JOHN E. CRIBBS
Director

18 FUNDS AVAILABLE:

20 EDWARD M. HARRINGTON
Controller22 01 001 97 09 90
309674 1450 \$7,000.00

23 JUN 09 1992

BOARD OF SUPERVISORS

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JUL 23 1992

SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading

June 29, 1992

\$ Finally Passed

\$ July 6, 1992

Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Heieh
Kennedy Maher Migden Shelley

\$ Ayes: Supervisors Achtenberg Conroy
Hallinan Heieh Maher Migden
Shelley

Absent: Supervisor Alioto

\$ Absent: Supervisors Alioto Britt
Gonzalez Kennedy

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

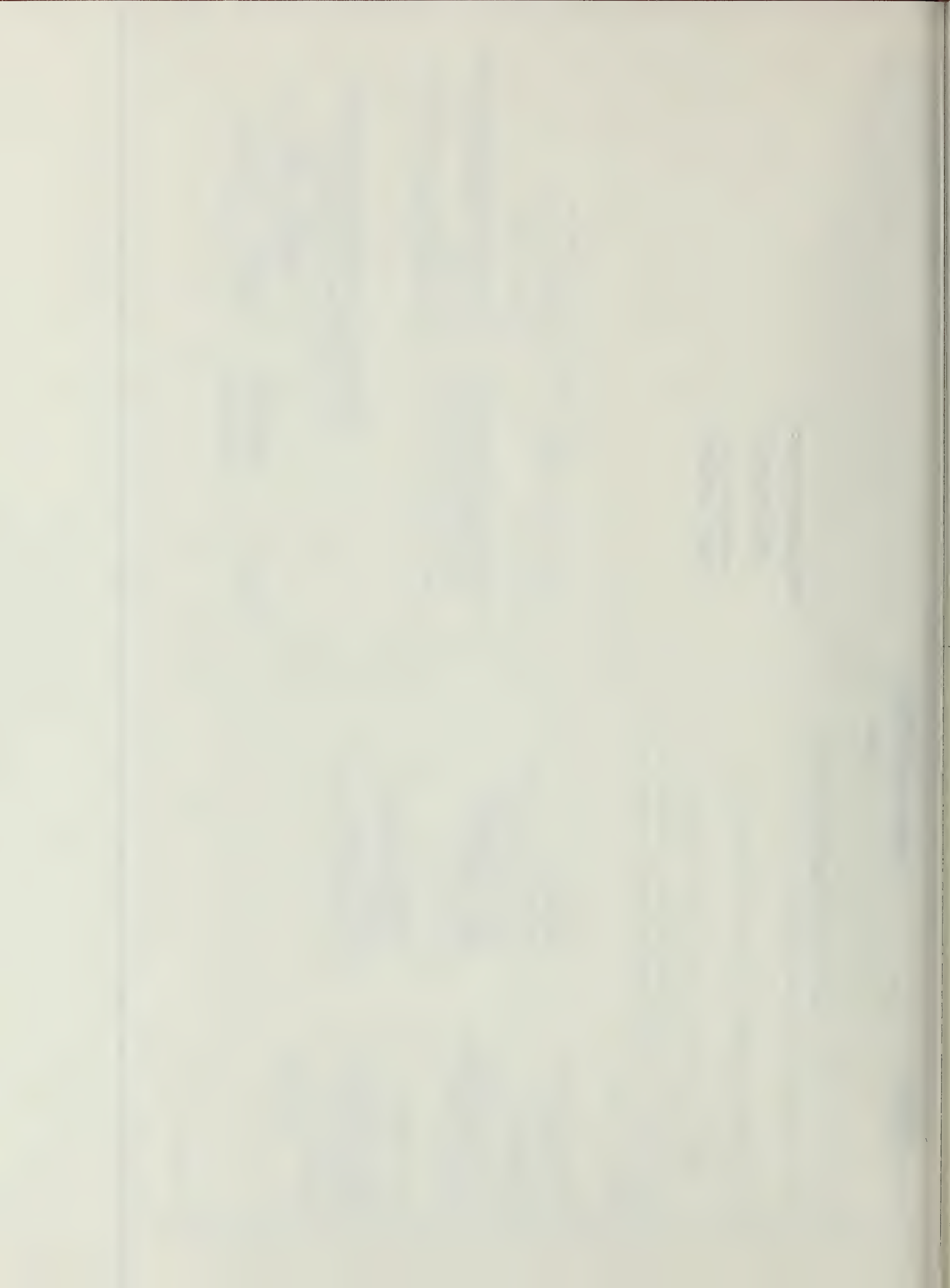
JUL 10 1992

Clerk

Date Approved

Mayor

File No.
45-92-29



[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF SANTIAGO AGAINST THE CITY
AND COUNTY OF SAN FRANCISCO for \$22,500.

Be it ordained by the People of the City and County of
San Francisco:

Section I. The City Attorney is hereby authorized to
settle the action entitled "SANTIAGO, ET AL. v. CITY AND COUNTY
OF SAN FRANCISCO, et al.," Municipal Court No. 036-970, by the
payment of \$22,500.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

RECOMMENDED:

KIMBERLY REILEY CLEMENT
Chief Trial Deputy

THOMAS F. MURPHY
Acting Police Chief

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 38
309781 1450 \$22,500.00

JUL 09 1992

BOARD OF SUPERVISORS

DOCUMENTS DEPT.

JUL 23 1992

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PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading § Finally Passed

June 29, 1992 § July 6, 1992

Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley

Absent: Supervisor Alioto

Ayes: Supervisors Achtenberg Conroy
Hallinan Hsieh Maher Migden
Shelley

Absent: Supervisors Alioto Britt
Gonzalez Kennedy

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

File No.
45-92-30

JUL 10 1992

Date Approved

Mayor

1 (SETTLEMENT OF LAWSUIT)

2 AUTHORIZING SETTLEMENT OF HAROLD WILSON BELL V. AVIS RENT A CAR, ET
3 AL., UPON RECEIPT OF THE SUM OF \$7,500.00 AND DISMISSAL OF COMPLAINT.

4
5 Be it ordained by the People of the City and County of San Francisco:
6 Section 1. The City Attorney is hereby authorized and directed
7 to settle San Francisco Superior Court No. 906593 entitled "Harold
8 Wilson Bell, Plaintiff, v. Avis Rent A Car, et al., Defendants" by
9 acceptance of the sum of \$7,500.00 from the Defendants, and by
10 dismissing complaint.

11 Section 2. Upon receipt of said sum of \$7,500.00 and
12 appropriate paperwork the City Attorney is authorized to dismiss said
13 complaint.

14
15 APPROVED

16 AND RECOMMENDED:

17 LOUISE H. RENNE
18 City Attorney

19 By Kimberly A. Reiley
20 KIMBERLY A. REILEY CLEMENT
21 Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Pam Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

22
23
24
25

BOARD OF SUPERVISORS

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JUL 23 1992

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Board of Supervisors, San Francisco

Passed for Second Reading § Finally Passed

June 29, 1992 § July 6, 1992

Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley

Absent: Supervisor Alioto

§ Ayes: Supervisors Achtenberg Conroy
Hallinan Maher Migden
Shelley
§ Absent: Supervisors Alioto Britt
Gonzalez Kennedy

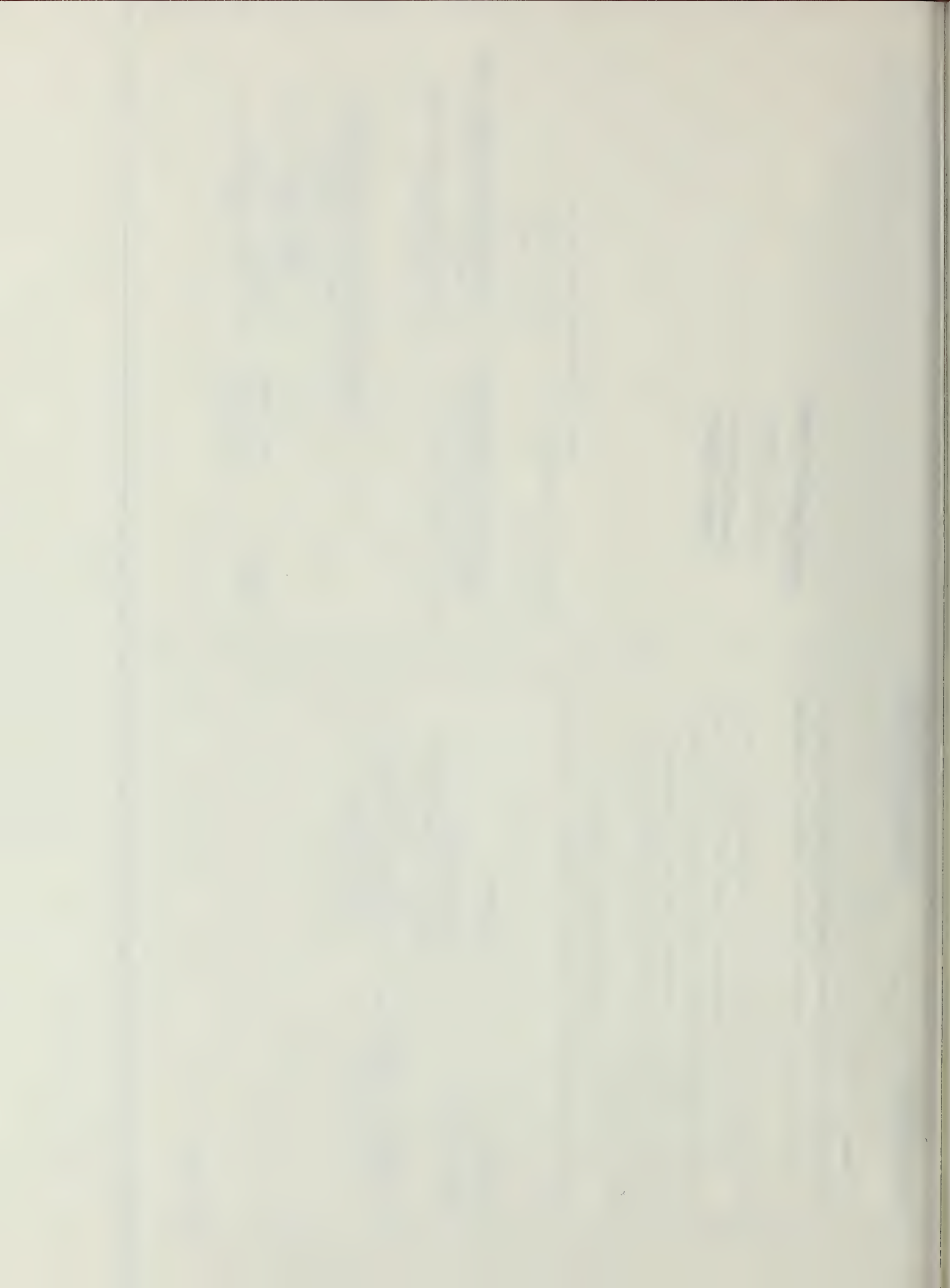
I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

JUL 10 1992

File No.
46-92-7

Date Approved

Mayor



(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF CITY AND COUNTY OF SAN FRANCISCO V.
 DIONICIO GUZMAN, ET AL., UPON RECEIPT OF THE SUM OF \$12,500.00 AND
 DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San
 Francisco:

Section 1. The City Attorney is hereby authorized and
 directed to settle San Francisco Municipal Court No. 063346
 entitled "City and County of San Francisco, Plaintiff, v Dionicio
 Guzman, et al., Defendants" by acceptance of the sum of
 \$12,500.00, from the defendants and dismissing complaint.

Section 2. Upon receipt of said sum of \$12,500.00 and
 appropriate paperwork the City Attorney is authorized to dismiss
 said complaint.

APPROVED
 AND RECOMMENDED:

LOUISE H. RENNE
 City Attorney

RECOMMENDED:

RETIREMENT BOARD
 SAN FRANCISCO CITY AND COUNTY
 EMPLOYEES' RETIREMENT SYSTEM

By Kimberly A. Clement
 KIMBERLY A. CLEMENT
 Chief Trial Deputy

By Pam Levesque
 PAM LEVESQUE
 Executive Assistant to
 General Manager

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BOARD OF SUPERVISORS

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JUL 23 1992

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Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed

June 29, 1992 \$ July 6, 1992

Ayes: Supervisors Achtenberg Britt
 Conroy Gonzalez Hallinan Haileh
 Kennedy Maher Migden Shelley

\$ Ayes: Supervisors Achtenberg Conroy
 \$ Hallinan Haileh Maher Migden
 \$ Shelley

Absent: Supervisor Alioto

\$ Absent: Supervisors Alioto Britt
 \$ Gonzalez Kennedy

I hereby certify that the foregoing ordinance
 was finally passed by the Board of Supervisors
 of the City and County of San Francisco

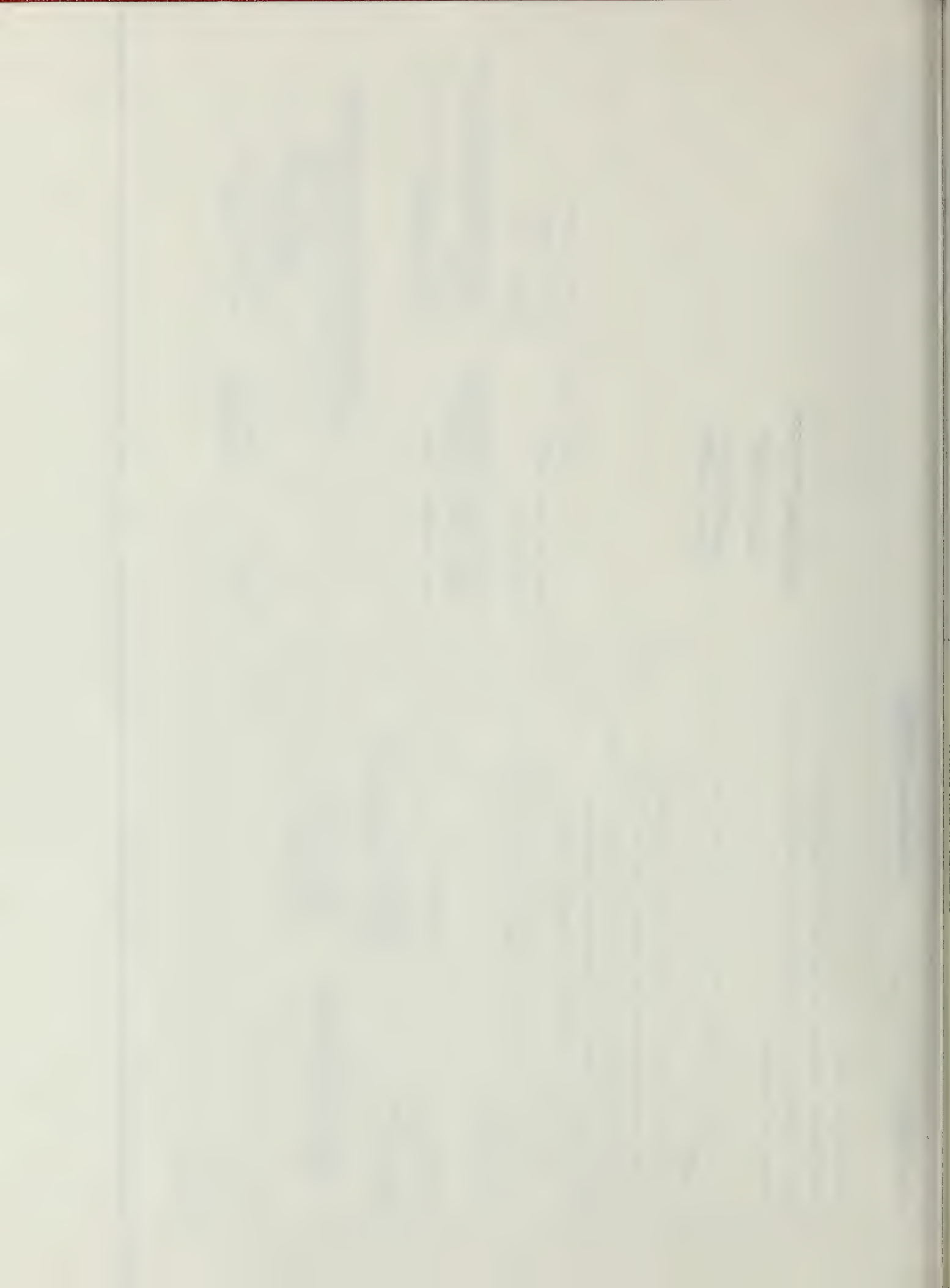
Clerk

JUL 10 1992

Date Approved

File No.
46-92-8

Mayor



1 (EXCAVATION FEES)

2 AMENDING ARTICLE 8, PART II, CHAPTER X OF THE SAN FRANCISCO

3 MUNICIPAL CODE (PUBLIC WORKS CODE) BY AMENDING SECTIONS 352, 353,
4 368 AND 374 AND ADDING SECTIONS 352.1 AND 352.2 TO ~~AUTHORIZE THE~~
5 ~~DIRECTOR OF PUBLIC WORKS TO SET SCHEDULES OF FEES AND TO COLLECT~~
6 ~~SAID FEES TO RECOVER COSTS OF ADMINISTERING AND REGULATING~~

7 PERMITTED EXCAVATIONS.

8 NOTE: Additions or substitutions are underlined;
9 deletions are in ((double parentheses)).
10 Sections 352.1 and 352.2 are new.

11 Be it ordained by the People of the City and County of San Francisco:
12
13 Section 1. The San Francisco Municipal Code is hereby amended
14 by amending Section 352 to read as follows:

15 SEC. 352. ((INSPECTION)) EXCAVATION FEES ((- DEDUCTIONS
16 FROM DEPOSITS)). The Department of Public Works shall ((deduct from
17 any deposits, or)) collect ((the following sums,)) for any
18 ((certificate)) excavation permit, under the authority of which the
19 excavation was made, an amount equal to \$0.80 per square foot of
20 pavement to be excavated, plus a \$50 processing fee for each permit,
21 to cover the costs incurred by the Department of Public Works in the
22 exercise of its duties pursuant to this Article and for the
23 administration, supervision and inspection ((, viz:)) of the
24 permitted excavation.

25 (((\$0.12 per square foot of pavement to be excavated, provided
that the minimum amount to be deducted shall be \$25 for each block
within which such openings are made; and an amount to cover the

DEPARTMENT OF PUBLIC WORKS

6/02/92
3492W

-1-

BOARD OF SUPERVISORS

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JUL 23 1992

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actual cost of inspection for excavations other than utility
excavations, as determined by the Department of Public Works, and an
additional \$35 fee for each gas service to be relocated.))

In addition to the fees provided for hereinabove, the Director
is authorized to deduct or collect amounts to compensate the
Department for any and all special costs including but not limited
to overtime, weekend or night work, or other work for which the
Department may incur more than the normal anticipated cost for
administration, supervision and inspection; and for any and all
extraordinary costs, including but not limited to costs arising from
unanticipated or emergency work incidental to the permitted
excavation.

Section 2. The San Francisco Municipal Code is hereby amended
by adding Section 352.1 to read as follows:

SEC. 352.1 GAS SERVICE RELOCATION FEE. In addition to the
fees provided for in Section 352 of this Article, the Director of
Public Works or his or her designated representative is authorized
to deduct or collect a fee of \$35 (thirty five dollars) for each gas
house line relocated as part of a gas main replacement.

Section 3. The San Francisco Municipal Code is hereby amended
by adding Section 352.2 to read as follows:

SEC. 352.2 COLLECTION OF EXCAVATION FEES. The Director of
Public Works is authorized to establish procedures for efficient and
effective billing and collection of the fees provided for in Section
352 of this Article. The Director in his or her discretion may

DEPARTMENT OF PUBLIC WORKS

6/02/92
3492W

-2-

BOARD OF SUPERVISORS

1 require any permittee to deposit in advance of undertaking any
2 excavation, a sum representing the estimated fees anticipated to be
3 incurred for said excavation within any fiscal year, from which
4 deposit any fees attributable to said permitted work may be deducted
5 as provided in Section 352 of this Article. Prior to requiring any
6 permittee to deposit estimated fees in advance of any excavations
7 the Director shall consider the permittee's record of past payment.

Section 4. The San Francisco Municipal Code is hereby amended
by amending Section 353 to read as follows:

SEC. 353. DEFINITIONS ((OR)) - "EXCAVATION" - "PERMIT" -
FEES)) "BLOCK". For the purpose of this Article, an excavation
shall be defined as an opening in or beneath any public street,
alley, sidewalk or other public place ((with a block)). A block
shall be defined as the area of a street from property line to
property line in width and extending from the centerline of one
intersecting street to the centerline of the next intersecting
street. At the discretion of the Director, ((a)) all excavations
within one block or a continuous excavation extending more than one
block and occurring within the same time period ((will)) may be
considered one excavation for purposes of computing
((inspection)) the fees provided for in Section 352 of this Article.

Section 5. The San Francisco Municipal Code is hereby amended
by amending Section 368 to read as follows:

SEC. 368. EMERGENCY EXCAVATIONS - PROCEDURE. Nothing in this
Article contained shall be construed to prevent any person, firm or
DEPARTMENT OF PUBLIC WORKS

BOARD OF SUPERVISORS

-3-

6/02/92
3492W

1 corporation maintaining any pipe or conduit in any public street,
2 alley or other public place, by virtue of any law, ordinance or
3 permit, from making such excavation as may be necessary for the
4 preservation of life or property when such necessity arises during
5 such hours as the offices of the City are closed; provided, that the
6 person, firm or corporation making such excavation shall apply for a
7 ((certificate)) permit therefor as herein required within four hours
8 after the offices of the City are first opened subsequent to the
9 making of such excavation. ((Provided, further, that in making the
10 charges for such emergency prospect holes all the holes within 200
11 feet of street length shall be charged for as one excavation.)) The
12 fees for any such excavation shall be as provided for in Section 352
13 of this Article.

Section 6. The San Francisco Municipal Code is hereby amended
by amending Section 374 to read as follows:

SEC. 374. MORATORIUM. No excavations shall be allowed in or
16 beneath any public street, alley, or other public place for a period
17 of three years from the completions of street resurfacing or
18 reconstruction; provided, however, that the Director of Public Works
19 may adopt rules and regulations to allow exceptions to this
20 moratorium when such exceptions would benefit the public; and
21 further provided that the inspection cost to be charged shall be
22 ((sufficient to recover the actual costs of inspection instead of
23 the fees)) as specified in Section 352.

// /
DEPARTMENT OF PUBLIC WORKS

BOARD OF SUPERVISORS

-4-

6/02/92
3492W

Section 7. This ordinance shall become effective for excavation permits applied for on or after the effective date of this ordinance.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By JULIA TEN EXX
Deputy City Attorney

RECOMMENDED:

By: JOHN E. CRIBBS
Director of Public Works

3492w

DEPARTMENT OF PUBLIC WORKS

6/02/92
3492w

-5-

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed
June 22, 1992 \$ June 29, 1992

Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley

Absent: Supervisor Alioto

Ayes: Supervisors Britt Conroy
Gonzalez Hallinan Hsieh Kennedy
Maher Migden Shelley

Absent: Supervisors Achtenberg
Alioto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

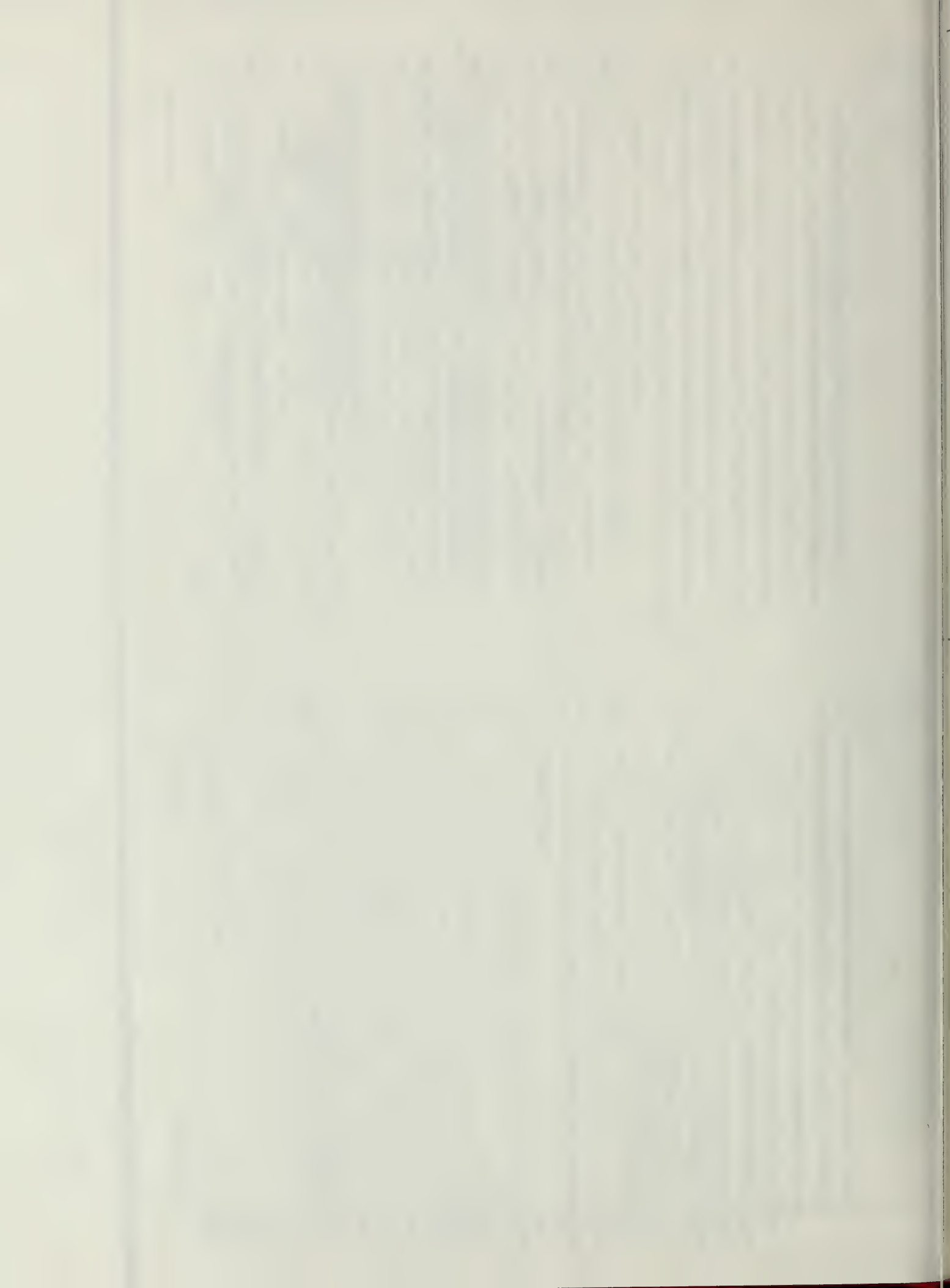
JUL 10 1992

File No.
123-92-1

Date Approved

Clerk

Mayor



FILE NO 124-92-5 ORDINANCE NO 214-92

1 (Parking Meter Rates)
2 AMENDING SECTION 210 OF PART II, CHAPTER XI OF THE SAN FRANCISCO
3 MUNICIPAL CODE (TRAFFIC CODE) TO INCREASE THE ~~RATES FOR PARKING~~
4 ~~AGAINST PERSONS WHO VIOLATE PARKING METER PAYMENT REQUIREMENTS~~
5 ~~METERS WITHIN PARKING METER AREAS NUMBERS 2, 3, AND 4.~~
6
7 [Note: Additions or substitutions are underlined;
8 deletions are indicated by ((double
9 parenthesis)).]
10 Be it ordained by the People of the City and County of San
11 Francisco:
12 Section One. Section 210 of Part II, Chapter XI of the San
13 Francisco Municipal Code (Traffic Code) are hereby amended to
14 read as follows:
15
16 SEC. 210. PENALTIES FOR VIOLATIONS. (a) Except as
17 provided in Subsection (b) below, any person violating any of the
18 provisions of this Article shall be guilty of an infraction and
19 upon conviction thereof shall be punished by a fine of not less
20 than ((\$12)) \$15 nor more than ((\$40)) \$50 for each offense.
21 Each such person shall be guilty of a separate and distinct
22 offense for each and every hour of any unauthorized occupancy of
23 a parking meter zone in violation of Section 202 of this Article
24 after the issuance of the first citation therefor and shall be
25 punished accordingly.
26
27 (b) Any person violating Section 202.1 shall be guilty of
28 an infraction and upon conviction thereof shall be punished by a

0951j
BOARD OF SUPERVISORS

05/27/92

fine of not less than \$20 nor more than \$50 for each offense.
Each such person shall be guilty of a separate and distinct
offense for each and every hour of any unauthorized occupancy of
a parking meter zone in violation of Section 202.1 of this
Article after the issuance of the first citation therefor and
shall be punished accordingly.

APPROVED AS TO FORM:

LOUISE H. RENNE
CITY ATTORNEY

By: [Signature]
Deputy City Attorney

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JUL 30 1992

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05/27/92

BOARD OF SUPERVISORS

Passed for Second Reading

June 22, 1992

Finally Passed

June 29, 1992

**Ayes: Supervisors Achtenberg, Blitt,
Conroy, Gonzalez, Hallinan, Heide,
Kennedy, Maher, Migen, Shelley**

**Ayes: Supervisors Brit Conroy
Gonzalez Hallinan Helen Kennedy
Miyden Shelley**

Absent: Supervisor Aloto

§ Noes: Supervisor Maher
§
§ Absent: Supervisors Achtenberg
§ Alfoto

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

File No.
124-92-5

JUL 10 1992

Date Approved _____

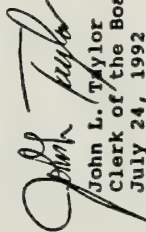
C194h

Chad A. Butler
Mayor

May 6/8

E R R A T A

- 1 Correct Ordinance No. 215-92 as follows:
- 2 On page 1, line 10, correct "one year" to read "eleven months".
- 3 On page 2, line 6, correct "one year" to read "eleven-month".
- 4 On page 2, line 19, correct "one year" to read "eleven months".


John L. Taylor
Clerk of the Board
July 24, 1992

1 (Utility Users Tax Rate Adjustment)

2 AMENDING ARTICLE 10 OF PART III OF THE SAN FRANCISCO MUNICIPAL CODE

3 BY ADDING SECTIONS 707.2 AND 707.3, TO EXTEND THE TELEPHONE USERS

4 TAX TO INTERSTATE AND INTERNATIONAL TELEPHONE COMMUNICATION SERVICES

5 AND TO INCREASE THE RATES OF THE TELEPHONE USERS TAX TO SIX AND

6 ONE-HALF PERCENT (6-1/2%), OF THE ELECTRICITY USERS TAX TO SIX AND

7 ONE-HALF PERCENT (6-1/2%), OF THE GAS USERS TAX TO SIX AND ONE-HALF

8 PERCENT (6-1/2%), OF THE WATER USERS TAX TO SIX AND ONE-HALF PERCENT

9 (6-1/2%), AND OF THE STEAM USERS TAX TO SIX AND ONE-HALF PERCENT

10 (6-1/2%) ^{AUGUST} ELEVEN MONTHS

11 ~~FOR ONE YEAR COMMENCING JULY 1, 1992.~~

12 Be it ordained by the People of the City and County of San Francisco:

13 Note: These sections are entirely new.

14 Section 1. Article 10 of Part III of the San Francisco

15 Municipal Code (Utility Users Tax) is hereby amended by adding

16 Section 707.2 thereto reading as follows:

17 SEC. 707.2 UTILITY USERS TAX RATE ADJUSTMENT.

18 Notwithstanding any provision in this Article that sets forth a

19 different rate of taxation, for bills rendered during the period

20 commencing ^{August} July 1, 1992 and ending June 30, 1993, the tax set forth

21 in Section 703 (telephone users), shall be at the rate of six and

22 one-half percent (6-1/2%) and the tax set forth in Section 704

23 (electricity users), in Section 705 (gas users), in Section 706

24 (water users), and in Section 706.1 (steam users) shall be at the

25 rate of six and one-half percent (6-1/2%).

///

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BOARD OF SUPERVISORS

Page 1 of 3
06/04/92

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1 Section 2. Article 10 of Part III of the San Francisco
2 Municipal Code (Utility Users Tax) is hereby amended by adding

3 Section 707.3 thereto reading as follows:

4 SEC. 707.3 INTERSTATE TELEPHONE USERS TAX. During the period
5 commencing ~~July 1~~ August 1, 1992 and ending June 30, 1993, the tax set forth
6 in Section 703 (telephone users) and Section 707.2 ~~(one-year/rate)~~
7 adjustment), in addition to being imposed upon persons using
8 interstate telephone communication services, shall also be imposed
9 upon every person, other than a telephone corporation, using
10 interstate or international telephone communication services in the
11 City and County. The tax imposed on the interstate or international
12 telephone communication services shall be collected from the service
13 user by the person providing such services. The amount of the tax
14 collection in one month shall be remitted to the Tax Collector on or
15 before the last day of the following month.

16 Section 3. In adopting this ordinance, it is the intent of
17 the Board of Supervisors to leave intact the underlying,
18 pre-existing rates of taxation and impose additional tax rates for
19 ~~one-year~~ eleven months.
20 Should one or more of the additional tax rates be held
21 invalid or unenforceable, it is the intent of the Board of

22
23
24
25

1 Supervisors that the underlying pre-existing rates of taxation not
2 be affected and remain in effect.

3 APPROVED AS TO FORM:

4 LOUISE H. RENNE
5 City Attorney

6
7 By: Kenneth T. Taylor
8 Deputy City Attorney

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Board of Supervisors, San Francisco

Passed for Second Reading § Finally Passed

July 6, 1992 § July 13, 1992

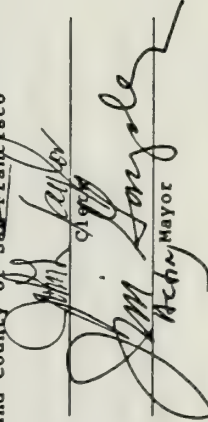
Ayes: Supervisors Achtenberg Britt § Ayes: Supervisors Conroy Gonzalez
 Conroy Hallinan Hsieh Maher § Hallinan Hsieh Kennedy Maher
 Migden Shelley § Shelley
 Absent: Supervisors Alioto Gonzalez § Absent: Supervisors Achtenberg
 Kennedy § Alioto Britt Migden

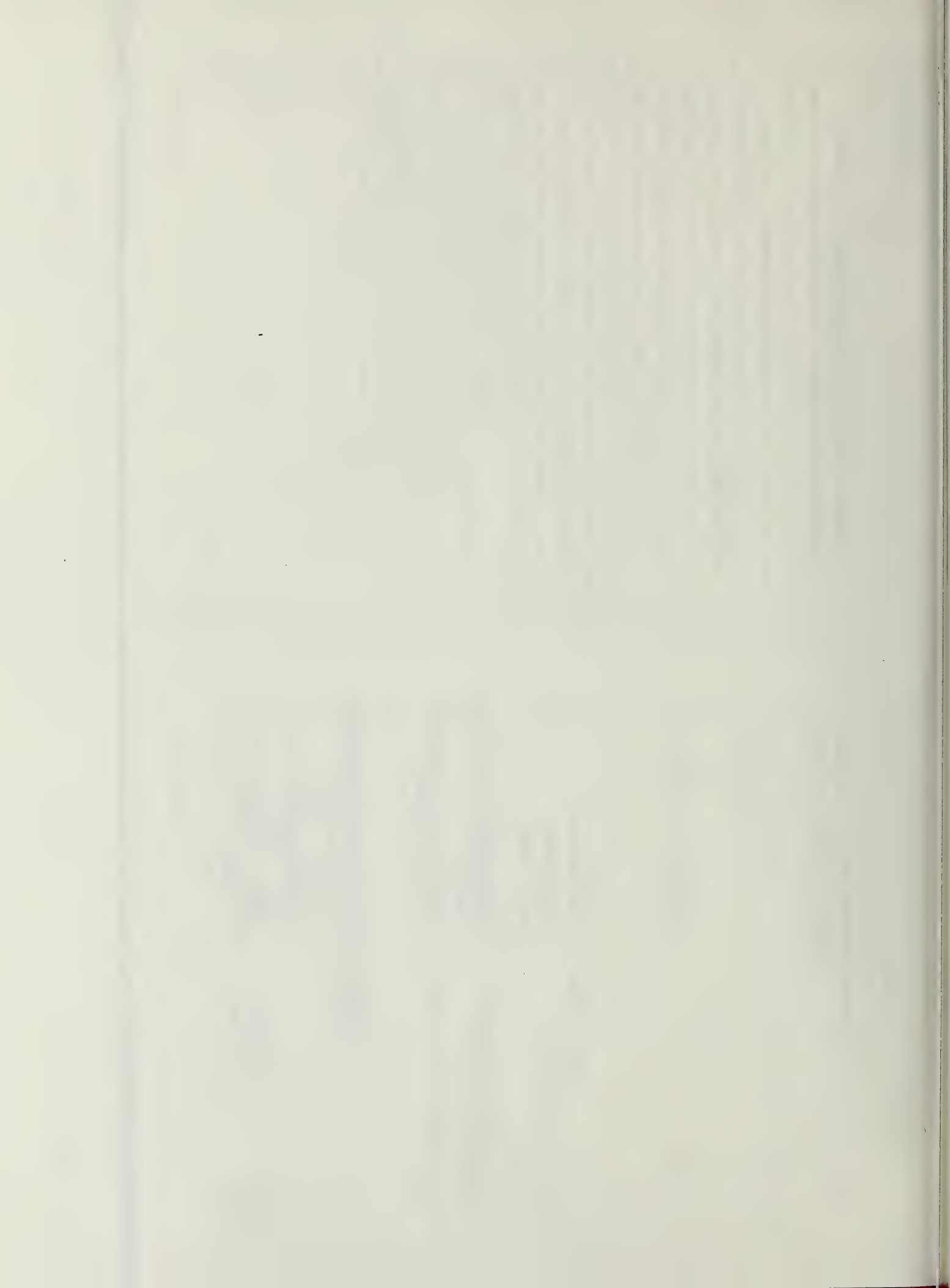
I hereby certify that the foregoing ordinance
 was finally passed by the Board of Supervisors
 of the City and County of San Francisco

File No.
127-92-5

JUL 14 1992

Date Approved


 John M. Lamy
 Mayor



(Parking Meter Rates)

AMENDING SECTIONS 200, 202.A, 203.2, 203.3, AND 203.4 OF PART II, CHAPTER XI OF THE SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) TO INCREASE THE RATES FOR PARKING METERS WITHIN PARKING METER AREAS NUMBERS 2, 3, AND 4, AND TO PROVIDE THAT PARKING METERS IN THESE AREAS WILL BE OPERATED ONLY BY QUARTERS.

(Note: Additions or substitutions are underlined; deletions are indicated by ((double parenthesis)).)

Be it ordained by the People of the City and County of

San Francisco:

Section One. Sections 200, 202.A, 203.2, 203.3, and 203.4 of Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code) are hereby amended to read as follows:

SEC. 200. DEFINITIONS. The word "vehicle," as used

herein, shall mean any device, in, upon, or by which a person or property is or may be propelled, moved, or drawn upon a highway, excepting a device moved by human power or used exclusively upon stationary rails or tracks.

The word "park" as used herein, shall mean the standing of a vehicle, except a licensed taxicab occupying a taxicab stand as authorized by the Chief of Police, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading of freight.

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BOARD OF SUPERVISORS

-1-

06/25/92

The words "parking meter," when used herein, shall mean any device which, when the recording dial thereof is set in motion, or immediately following the deposit of ((any)) a coin, shall register the time that any vehicle is parked adjacent to said parking meter.

SEC. 202.A. USE OF PARKING METER ZONES WITHOUT DEPOSIT OF COIN IN PARKING METER PERMITTED. A vehicle may be parked and remain parked in a parking meter zone without the deposit of ((any)) a coin in the parking meter adjacent thereto during hours when unlimited or unrestricted parking is permitted by Ordinance in the block in which said zone is situated.

SEC. 203.2. PARKING METER RATES--PARKING METER AREA NUMBER TWO. The rates for parking meters in Parking Meter Area Number Two shall be as follows:

(a) Thirty-minute meters shall take a ((1) Five-cent piece (nickel)), which shall allow a parking time period of four minutes following the deposit of such coin, and such deposit of five-cent pieces may be repeated for a like period of time until 30 minutes have been expended; or a

(2) Ten-cent piece (dime), which shall allow a parking time period of eight minutes following the deposit of such coin, and such deposit of 10-cent pieces may be repeated for a like period of time until 30 minutes have been expended; or a)

0951)
BOARD OF SUPERVISORS

-2-

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JUL 23 1992

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1 ((3)) (T) Twenty-five-cent piece (quarter), which shall
2 allow a parking time period of 15 ((20)) minutes following the
3 deposit of such coin((:)).

4 (b) ((Provided, that 30)) Thirty minutes shall be the
5 maximum time permitted for parking at any thirty-minute meter on
6 the posted days and during the posted hours of its operation.

7 (c) One-hour meters shall take a

8 ((1)) Five-cent piece (nickel), which shall allow a parking
9 time period of four minutes following the deposit of such coin,
10 and such deposit of five-cent pieces may be repeated for a like
11 period of time until 60 minutes have been expended; or a

12 (2) Ten-cent piece (dime), which shall allow a parking
13 time period of eight minutes following the deposit of such coin,
14 and such deposit of 10-cent pieces may be repeated for a like
15 period of time until 60 minutes have been expended; or a))

16 ((3)) (T) Twenty-five-cent piece (quarter), which shall
17 allow a parking time period of ((20)) 15 minutes following the
18 deposit of such coin, and such deposit of 25-cent pieces may be
19 repeated for a like period of time until 60 minutes have been
20 expended((:)).

21 (d) Sixty minutes shall be the maximum time permitted for
22 parking at any one-hour meter on the posted days and during the
23 posted hours of its operation.

24 (e) Two-hour meters shall take a

25 ((1)) Five-cent piece (nickel), which shall allow a parking

1 time period of four minutes following the deposit of such coin,
2 and such deposit of five-cent pieces may be repeated for a like
3 period of time until 120 minutes have been expended; or a

4 (2) Ten-cent piece (dime), which shall allow a parking
5 time period of eight minutes following the deposit of such coin,
6 and such deposit of 10-cent pieces may be repeated for a like
7 period of time until 120 minutes have been expended; or a))

8 ((3)) (T) Twenty-five-cent piece (quarter), which shall
9 allow a parking time period of 15 ((20)) minutes following the
10 deposit of such coin, and such deposit of 25-cent pieces may be
11 repeated for a like period of time until 120 minutes have been
12 expended((:)).

13 (f) One hundred twenty minutes shall be the maximum time
14 permitted for parking at any two-hour meter on the posted days
15 and during the posted hours of its operation.

16 SEC. 203.3. PARKING METER RATES--PARKING METER AREA NUMBER
17 THREE. The rates for parking meters in parking meter area number
18 three shall be as follows:

19 ((a)) Thirty-minute meters shall take a

20 (1) Five-cent piece (nickel), which shall allow a parking
21 time period of 10 minutes following the deposit of such coin, and
22 such deposit of five-cent pieces may be repeated for a like
23 period of time until 30 minutes have been expended; or a

24 (2) Ten-cent piece (dime), which shall allow a parking time
25

period of 20 minutes following the deposit of such coin;

(b) Thirty minutes shall be the maximum time permitted for parking at any 30-minute meter on the posted days and during the posted hours of its operation.))

(a) One-hour meters shall take a

((1) Five-cent piece (nickel), which shall allow a parking time period of 10 minutes following the deposit of such coin, and such deposit of five-cent pieces may be repeated for a like period of time until 60 minutes have been expended; or a

(2) Ten-cent piece (dime), which shall allow a parking time period of 20 minutes following the deposit of such coin, and such deposit of 10-cent pieces may be repeated for a like period of time until 60 minutes have been expended;))

((3)) ((T)) Twenty-five cent piece (quarter), which shall allow a parking time period of 30 ((50)) minutes following the deposit of such coin((;)).

(b) Sixty minutes shall be the maximum time permitted for parking at any one-hour meter on the posted days and during the posted hours of its operation.

(c) Two-hour meters shall take a

((1) Five-cent piece (nickel), which shall allow a parking time period of 10 minutes following the deposit of such coin, and such deposit of five-cent pieces may be repeated for a like period of time until 120 minutes have been expended; or a

(2) Ten-cent piece (dime), which shall allow a parking time

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period of 20 minutes following the deposit of such coin, and such deposit of 10-cent pieces may be repeated for a like period of time until 120 minutes have been expended; or a))

((3)) ((T)) Twenty-five-cent piece (quarter), which shall allow a parking time period of 30 ((50)) minutes following the deposit of such coin((;)).

(d) One hundred twenty minutes shall be the maximum time permitted for parking at any two-hour meter on the posted days and during the posted hours of its operation.

SEC. 203.4. PARKING METER RATES--PARKING METER AREA NUMBER

FOUR. The rates for parking meters in Parking Meter Area Number Four shall be as follows:

(a) One-hour meters shall take a

((1) Five-cent piece (nickel), which shall allow a parking time period of four minutes following the deposit of such coin, and such deposit of five-cent pieces may be repeated for a like period of time until 60 minutes have been expended; or a

(2) Ten-cent piece (dime), which shall allow a parking time period of eight minutes following the deposit of such coin, and such deposit of 10-cent pieces may be repeated for a like period of time until 60 minutes have been expended;))

((3)) ((T)) Twenty-five cent piece (quarter), which shall allow a parking time period of 15 ((20)) minutes following deposit of such coin, and such deposit of 25-cent pieces may be

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repeated for a like period of time until 60 minutes have been expended((()))

(b) Sixty minutes shall be the maximum time permitted for parking at any one-hour meter on the posted days and during the posted hours of its operation.

(c) Two-hour meters shall take a

(((1) Five-cent piece (nickel), which shall allow a parking time period of four minutes following the deposit of such coin, and such deposit of five-cent pieces may be repeated for a like period of time until 120 minutes have been expended; or a

(2) Ten-cent piece (dime), which shall allow a parking time period of eight minutes following the deposit of such coin, and such deposit of 10-cent pieces may be repeated for a like period of time until 120 minutes have been expended;))

(((3))) (((7) Twenty-five cent piece (quarter), which shall allow a parking time period of 15 ((20)) minutes following deposit of such coin, and such deposit of 25-cent pieces may be repeated for a like period of time until 120 minutes have been expended((()))

(d) One hundred twenty minutes shall be the maximum time permitted for parking at any two-hour meter on the posted days and during the posted hours of its operation.

APPROVED AS TO FORM:

LOUISE H. RENNE
CITY ATTORNEY

By: *Tony Layt*
Deputy City Attorney

BOARD OF SUPERVISORS
09513

06/25/92

Board of Supervisors, San Francisco

Passed for Second Reading

June 29, 1992

Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Helen
Kennedy Milden Shelley
Absent: Supervisors Alioto Maher

Finally Passed
July 6, 1992

Ayes: Supervisors Achtenberg Conroy
Hallinan Helen Maher Milden
Shelley
Absent: Supervisors Alioto Britt
Gonzalez Kennedy

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

File No.
124-92-4.1

JUL 10, 1992
Date Approved

[Signature]
Clerk
[Signature]
Mayor

1 (Special Election)

2 CALLING AND PROVIDING FOR A SPECIAL ELECTION TO BE HELD IN THE CITY
3 AND COUNTY OF SAN FRANCISCO ON TUESDAY, NOVEMBER 3, 1992, FOR THE
4 PURPOSE OF SUBMITTING TO THE VOTERS OF THE CITY AND COUNTY OF SAN
5 FRANCISCO PROPOSITIONS TO INCUR THE FOLLOWING BONDED DEBTS OF THE
6 CITY AND COUNTY FOR THE ACQUISITION, CONSTRUCTION OR COMPLETION BY
7 THE CITY AND COUNTY OF SAN FRANCISCO OF THE FOLLOWING MUNICIPAL
8 IMPROVEMENTS, TO WIT: THREE HUNDRED-FIFTY MILLION DOLLARS
9 (\$350,000,000) TO PROVIDE LOANS FOR THE SEISMIC STRENGTHENING OF
10 UNREINFORCED MASONRY BUILDINGS DEVOTED TO AFFORDABLE HOUSING AND TO
11 MARKET-RATE RESIDENTIAL, COMMERCIAL AND INSTITUTIONAL USES, AND TO
12 PAY NECESSARY ADMINISTRATIVE COSTS INCIDENTAL THERETO, AND
13 ESTABLISHING CERTAIN TERMS AND CONDITIONS IN CONNECTION WITH SAID
14 LOANS; ONE HUNDRED FIFTY-EIGHT MILLION ONE HUNDRED THOUSAND DOLLARS
15 (\$158,100,000) FOR CONSTRUCTION AND RECONSTRUCTION OF CORRECTIONAL
16 FACILITIES TO REPLACE THE EXISTING SAN BRUNO JAIL FACILITIES; FORTY
17 MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$40,800,000) FOR
18 CONSTRUCTION AND RECONSTRUCTION OF FIRE DEPARTMENT FACILITIES; THAT
19 THE ESTIMATED COST OF SAID MUNICIPAL IMPROVEMENTS IS AND WILL BE TOO
20 GREAT TO BE PAID OUT OF THE ORDINARY ANNUAL INCOME AND REVENUE OF
21 THE CITY AND COUNTY AND WILL REQUIRE EXPENDITURES GREATER THAN THE
22 AMOUNT ALLOWED THEREFOR BY THE ANNUAL TAX LEVY; RECITING THE
23 ESTIMATED COST OF SUCH MUNICIPAL IMPROVEMENTS; FIXING THE DATE OF
24 ELECTION AND THE MANNER OF HOLDING SUCH ELECTION AND THE PROCEDURE
25 FOR VOTING FOR OR AGAINST THE PROPOSITIONS; FIXING THE MAXIMUM RATE

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1 OF INTEREST ON SAID BONDS AND PROVIDING FOR THE LEVY AND COLLECTION
2 OF TAXES TO PAY BOTH PRINCIPAL AND INTEREST THEREOF; PRESCRIBING
3 NOTICE TO BE GIVEN OF SUCH ELECTION; CONSOLIDATING THE SPECIAL
4 ELECTION WITH THE GENERAL ELECTION; AND PROVIDING THAT THE ELECTION
5 PRECINCTS, VOTING PLACES AND OFFICERS FOR ELECTION SHALL BE THE SAME
6 AS FOR SUCH GENERAL ELECTION.

7 Be it ordained by the People of the City and County of San Francisco:

8 Section 1. A special election is hereby called and ordered to
9 be held in the City and County of San Francisco on Tuesday, the 3rd
10 day of November, 1992, for the purpose of submitting to the electors
11 of said city and county propositions to incur bonded indebtedness of
12 the City and County of San Francisco for the acquisition,
13 construction or completion by the City and County of the hereinafter
14 described municipal improvements in the amounts and for the purposes
15 stated:

16 EARTHQUAKE LOAN BOND PROGRAM, 1992, \$350,000,000 to provide
17 loans for the seismic strengthening of unreinforced masonry
18 buildings, and to pay necessary administrative costs incidental
19 thereto, of which (a) \$150,000,000 shall be allocated to affordable
20 housing buildings at an interest rate equal to one-third of the
21 City's true interest cost for the series of bonds the proceeds of
22 which are used to fund the loan, of which \$60,000,000 shall be
23 available for deferred loans, and (b) \$200,000,000 shall be
24 allocated to market-rate residential, commercial and institutional
25 buildings with the interest rate on said loans being set in an

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1 amount which, when coupled with the annual administrative fees
2 charged by the City, yields a total annual return to the City which
3 is one percent (1%) above the City's true interest cost for the
4 series of bonds the proceeds of which are used to fund the loan;
5 providing that no more than thirty-five million dollars
6 (\$35,000,000) of said authorization shall be sold in any one fiscal
7 year which amount shall be allocated on a pro-rate basis between the
8 affordable housing and market rate residential, commercial and
9 institutional buildings in accordance with the allocations
10 hereinabove set forth; authorizing carry-over of authorized
11 indebtedness to subsequent fiscal years; providing that all loan
12 repayments shall be used to pay debt service, except for loan
13 repayments received after the retirement of all bonds issued under
14 this Program which may be used for any lawful purpose, including,
15 but not limited to, making additional loans for seismic
16 strengthening of unreinforced masonry buildings and the payment of
17 debt service or the redemption of other outstanding general
18 obligation bonds of the City.

19 CORRECTIONAL FACILITIES REPLACEMENT AND IMPROVEMENT BONDS,
20 1992, \$158,100,000 to pay for construction and reconstruction of
21 correctional facilities to replace the existing San Bruno jail
22 facilities, including replacement housing, associated health and
23 safety improvements and related acquisition, construction or
24 reconstruction necessary or convenient for the foregoing purposes.

25 FIRE DEPARTMENT FACILITIES IMPROVEMENT BONDS, 1992,

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1 \$40,800,000 to pay for the construction and reconstruction of fire
2 department facilities, including seismic strengthening, asbestos
3 abatement, disabled access, separate bathroom and changing areas for
4 male and female firefighters and related acquisition, construction
5 or reconstruction necessary or convenient for the foregoing purposes.
6 Section 2. The estimated costs of each of the municipal
7 improvements described in Section 1 hereof were fixed by the Board
8 of Supervisors by the following resolutions and in the amount
9 specified:

10 Earthquake Loan Bond Program, 1992, Resolution No. 514-92,
11 \$350,000,000. Correction Facilities Replacement and Improvement
12 Bonds, 1992, Resolution No. 515-92, \$158,100,000. Fire Department
13 Facilities Improvement Bonds, 1992, Resolution No. 516-92,
14 \$40,800,000.

15 That said resolutions were passed by two-thirds or more of the
16 Board of Supervisors and approved by the Mayor, and in each said
17 resolution it was recited and found that the sums of money specified
18 were too great to be paid out of the ordinary annual income and
19 revenue of the City and County in addition to the other annual
20 expenses thereof or other funds derived from taxes levied for those
21 purposes and will require expenditures greater than the amounts
22 allowed therefor by the annual tax levy.

23 The method and manner of payment of the estimated costs of the
24 municipal improvements described herein are by the issuance of bonds
25 of the City and County of San Francisco in the principal amounts not

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1 to exceed the principal amounts specified.

2 Said estimates of cost as set forth in said resolutions are
3 hereby adopted and determined to be the estimated costs of said
4 improvements.

5 Section 3. The special election hereby called and ordered to
6 be held shall be held and conducted and the votes thereat received
7 and canvassed, and the returns thereof made and the results thereof
8 ascertained, determined and declared as herein provided and in all
9 particulars not herein recited said election shall be held according
10 to the laws of the State of California and the Charter of the City
11 and County of San Francisco providing for and governing elections in
12 the City and County of San Francisco, and the polls for such
13 election shall be and remain open during the time required by said
14 laws.

15 Section 4. The said special election hereby called shall be
16 and hereby is consolidated with the General Election of the City and
17 County of San Francisco to be held Tuesday, November 3, 1992, and
18 the voting precincts, polling places and officers of election for
19 said General Election be and the same hereby are adopted,
20 established, designated and named, respectively, as the voting
21 precincts, polling places and officers of elections for such special
22 election hereby called, and reference is hereby made to the notice
23 of election setting forth the voting precincts, polling places and
24 officers of election for the General Election to be published by the
25 Registrar of Voters in the official publication of the City and

SUPERVISOR HSIEH; GONZALEZ; CONROY

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1 County of San Francisco on or about October 13, 1992. The ballots
2 to be used at said special election shall be the ballots to be used
3 at said General Election.

4 Section 5. On the ballots to be used at such special election
5 and on the punch card ballots to be used at said special election,
6 in addition to any other matter required by law to be printed
7 thereon, shall appear thereon the following, to be separately
8 stated, and appear upon the ballot as three separate propositions:

9 "EARTHQUAKE LOAN BOND PROGRAM, 1992.

10 To incur a bonded indebtedness of \$350,000,000 to
11 provide loans for the seismic strengthening of
12 unreinforced masonry buildings devoted to affordable
13 housing and to market-rate residential, commercial and
14 institutional uses and to pay necessary administrative
15 costs incidental thereto."

16 "CORRECTIONAL FACILITIES REPLACEMENT AND IMPROVEMENT
17 BONDS, 1992.

18 To incur a bonded indebtedness of \$150,100,000 to pay
19 the cost of construction or reconstruction of
20 correctional facilities to replace the existing San
21 Bruno jail facilities, including replacement housing,
22 associated health and safety improvements and related
23 acquisition, construction or reconstruction necessary
24 or convenient for the foregoing purposes."

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1 "FIRE DEPARTMENT FACILITIES IMPROVEMENT BONDS, 1992.

2 To incur a bonded indebtedness of \$40,800,000 to pay
3 the cost of construction and reconstruction of Fire
4 Department facilities, including seismic strengthening,
5 asbestos abatement, disabled access, separate bathroom
6 and changing areas for male and female firefighters and
7 related acquisition, construction or reconstruction
8 necessary or convenient for the foregoing purposes."
9 Each voter to vote for any proposition hereby submitted and in
10 favor of the issuance of the Bonds shall punch the ballot card in
11 the hole after the word "YES" to the right of said proposition, and
12 to vote against said proposition and against the issuance of the
13 Bonds shall punch the ballot card in the hole after the word "NO" to
14 the right of said proposition. If and to the extent that a
15 numerical system is used at said special election, each voter to
16 vote for any said proposition shall punch the ballot card in the
17 hole after the number that corresponds to a "YES" vote for said
18 proposition and to vote against said proposition shall punch the
19 ballot card in the hole after the number that corresponds to a "NO"
20 vote for said proposition.

21 On absentee voter ballots, the voter to vote for any said
22 proposition shall punch the ballot card in the hole after the word
23 "YES" to the right of said proposition, and to vote against said
24 proposition and against the issuance of the Bonds shall punch the
25 ballot card in the hole after the word "NO" to the right of said

SUPERVISOR HSIEH; GONZALEZ; CONROY
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1 proposition. If and to the extent that a numerical system is used
2 at said special election, each voter to vote for any said
3 proposition shall punch the absentee ballot card in the hole after
4 the number that corresponds to a "YES" vote for said proposition and
5 to vote against said proposition shall punch the absentee ballot
6 card in the hole after the number that corresponds to a "NO" vote
7 for said proposition.

8 Section 6. If at such special election it shall appear that
9 two-thirds of all the voters voting on any proposition voted in
10 favor of and authorized the incurring of a bonded indebtedness for
11 the purposes set forth in said proposition, then such proposition
12 shall have been accepted by the electors, and bonds shall be issued
13 to defray the cost of the municipal improvements described therein.
14 Such bonds shall bear interest at a rate not to exceed 12 percent
15 per annum, payable semiannually, provided, that interest for the
16 first year after the date of any of said bonds may be payable at or
17 before the end of that year.

18 The votes cast for and against said respective propositions
19 shall be counted separately and when two-thirds of the qualified
20 electors voting on such propositions vote in favor thereof, such
21 proposition shall be deemed adopted.

22 Section 7. For the purpose of paying the principal and
23 interest on said bonds, the Board of Supervisors shall, at the time
24 of fixing the general tax levy and in the manner for such general
25 tax levy provided, levy and collect annually each year until such

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1 bonds are paid, or until there is a sum in the Treasury of said City
2 and County set apart for that purpose to meet all sums coming due
3 for the principal and interest on said bonds, a tax sufficient to
4 pay the annual interest on such bonds as the same becomes due and
5 also such part of the principal thereof as shall become due before
6 the proceeds of a tax levied at the time for making the next general
7 tax levy can be made available for the payment of such principal.

8 Section 8. This ordinance shall be published once a day for
9 at least seven (7) days in the official publication of the City and
10 County of San Francisco, which is published at least six days a week
11 in the City and County of San Francisco, and such publication shall
12 constitute notice of said election and no other notice of the
13 election hereby called need be given.

14 Section 9. The appropriate officers, employees,
15 representatives and agents of the City and County of San Francisco
16 are hereby authorized and directed to do everything necessary or
17 desirable to the calling and holding of said special election, and
18 to otherwise carry out the provisions of this ordinance.

19
20 APPROVED AS TO FORM:

21 LOUISE H. RENNE
22 City Attorney

23 By:

Diana Nelson Fitzpatrick
Diana Nelson Fitzpatrick
Deputy City Attorney

24
25 SUPERVISOR HSIEH; GONZALEZ; CONROY

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07/06/92

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed

July 6, 1992 \$ July 13, 1992

Ayes: Supervisors Britt Conroy
Gonzalez Hallinan Hsieh Maher
Migden Shelley

\$ Ayes: Supervisors Britt Conroy
Gonzalez Hallinan Hsieh Kennedy
Maher Shelley

Absent: Supervisors Achtenberg
Alloto Kennedy

\$ Absent: Supervisors Achtenberg
Alloto Migden

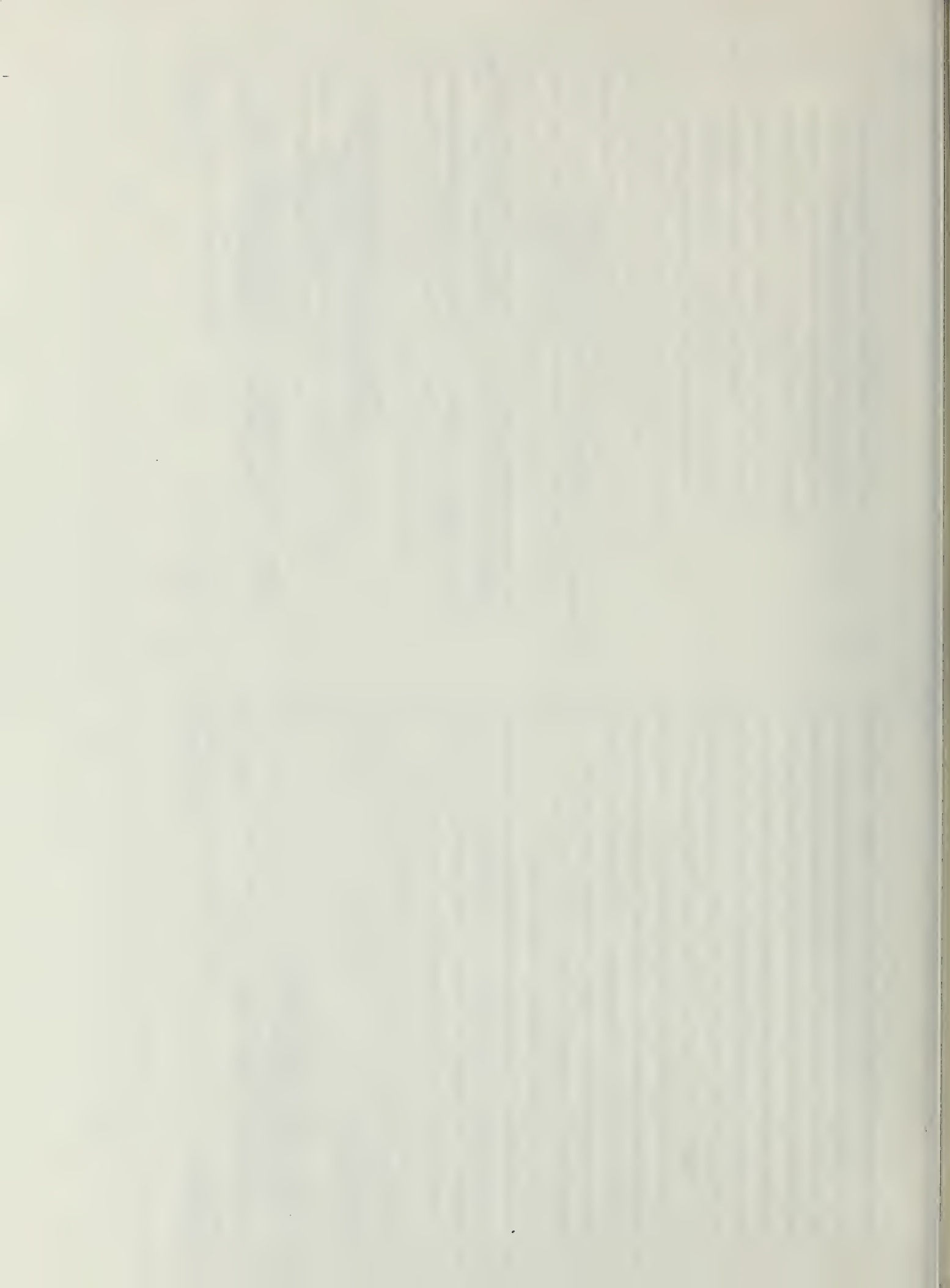
I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

File No.
60-92-4

JUL 14 1992

Date Approved

Mayor



1 (FIRE DEPARTMENT)

2 AMENDING ADMINISTRATIVE CODE BY AMENDING SECTION 16.6-6 THEREOF, ADDING AND
 3 DELETING CERTAIN ORGANIZATIONS TO THE MEMBERSHIP LIST OF THE FIRE DEPARTMENT.

4 NOTE: Additions or substitutions are underlined

5 Deletions are indicated by ((double parenthesis))

6 Be it ordained by the people of the City and County of San Francisco:

7 Section 1. Section 16.6-6 of the San Francisco Administrative Code is

8 hereby amended to read as follows:

9 Section 16.6-6. REPRESENTATION OF CITY AND COUNTY IN CERTAIN ORGANIZATIONS -
 10 FIRE DEPARTMENT.

11 California Arson Investigators Association

12 California Association of Affirmative Action Officers

13 California Fire Chiefs Association

14 California Fire Chiefs' Mechanics Association

15 International Association of Arson Investigators

16 International Association of Fire Chiefs

17 International Association of Fire Service Instructors

18 International Conference of Building Officials

19 National Association of Fire Investigators

20 National Association of Public Sector Equal Employment Officers

21 ((National Fire Prevention Association))

22 National Fire Protection Association

23 Northern Area Fire Equipment Research (NAFER)

24 Northern California Employment Roundtable

25

Fire Commission
 BOARD OF SUPERVISORS

Northern California Fire Prevention Officers Association

((Pacific Coast Association of Fire Chiefs))

Peninsula Fire Chiefs Association

San Mateo Arson Task Force

APPROVED AS TO FORM:

LOUISE RENNE, CITY ATTORNEY

By John R. Dooling
 Deputy City Attorney

RECOMMENDED:
 FIRE COMMISSION

John A. Ertola
 JOHN A. ERTOLA
 President

Frederick F. Postel
 FREDERICK F. POSTEL
 Chief of Department

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JUL 30 1992

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BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

§ Finally Passed

July 6, 1992

§ July 13, 1992

Ayes: Supervisors Achtemberg Britt
Conroy Gonzalez Hallinan Helen
Maher Migden Shelley

§ Ayes: Supervisors Britt Conroy
Gonzalez Hallinan Helen Kennedy
Maher Shelley

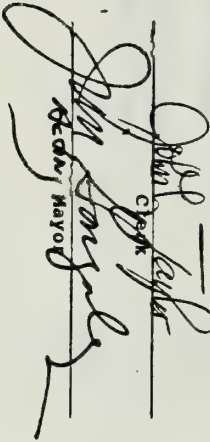
Absent: Supervisors Alioto Kennedy

§ Absent: Supervisors Achtemberg
Alioto Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

File No:
97-92-25.1

JUL 14 1992
Date Approved


John S. Chan
Mayor

1 [Unreinforced Masonry Building Seismic Retrofit]
2 AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION
3 41.19 THEREOF (RESIDENTIAL HOTEL UNIT CONVERSION AND DEMOLITION
4 ORDINANCE) TO PERMIT TEMPORARY RELOCATION OF TENANTS WITHIN THE SAME
5 RESIDENTIAL HOTEL STRUCTURE TO ALLOW SEISMIC RETROFIT ACTIVITIES.

6
7 Note: Additions are underlined; deletions are in ((double
8 parentheses)).

9
10 Be it ordained by the people of the City and County of
11 San Francisco:

12 Section 1. Findings pursuant to the California Environmental
13 Quality Act are set forth in Board of Supervisors Resolution
14 No. 566-92 contained in Board of Supervisors File
15 No. 114-92-4.1, and are incorporated herein by reference as though
16 fully set forth.

17 Section 2. The San Francisco Administrative Code is hereby
18 amended by amending Section 41.19 thereof, reading as follows:

19 Sec. 41.19 Temporary Change of Occupancy

20 (a) Temporary Change of Occupancy

21 (1) A tourist unit may be rented to a permanent
22 resident, until voluntary vacation of that unit by the permanent
23 resident or upon eviction for cause, without changing the legal
24 status of that unit as a tourist unit;

25 ///

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1 (2) A permanent resident may be relocated for up to
2 twenty-one (21) days to another unit in the residential hotel for
3 purposes of complying with the Building Code requirements imposed by
4 the UMB Seismic Retrofit Ordinance, Ordinance No. 219-92, without
5 changing the designation of the unit.

6 ((2)) (3) A residential unit which is vacant at any
7 time during the period commencing on May 1 and ending on September
8 30 annually may be rented as a tourist unit, provided that (i) the
9 residential unit was vacant due to voluntary vacation of a permanent
10 resident or was vacant due to lawful eviction for cause after the
11 permanent resident was accorded all the rights guaranteed by State
12 and local laws during his/her tenancy, (ii) the daily log shows that
13 the residential unit was legally occupied for at least 50% of the
14 period commencing on October 1 and ending on April 30 of the
15 previous year, unless owner or operator can produce evidence to the
16 Bureau of Building Inspection explaining such vacancy to the
17 satisfaction of the Bureau of Building Inspection, including but not
18 limited to such factors as repair or rehabilitation work performed
19 in the unit or good faith efforts to rent the unit at fair market
20 value; and (iii) the residential unit shall immediately revert to
21 residential use upon application of a prospective permanent resident.

22 25% Limit

23 However, at no time during the period commencing on May 1 and ending
24 on September 30 may an owner or operator rent for non-residential
25 use or tourist use more than 25% of the hotel's total residential

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1 units unless the owner or operator can demonstrate that (i) the
2 requirements of 41.19(a) (((2) herein)) (3) above are met,

3 (ii) good faith efforts were made to rent such units to prospective
4 permanent residents at fair market value for comparable units and
5 that such efforts failed and (iii) the owner or operator has not
6 committed unlawful action as defined in this Chapter within twelve
7 (12) months prior to this request. Owners or operators who seek to
8 exceed this limit must request a hearing pursuant to Section

9 41.11(b) above and the decision whether to permit owners or
10 operators to exceed this limit is within the discretion of the
11 hearing officer.

12 (b) Special Requirements for Hearings on Tourist Season

13 Rental of Residential Units

14 Where an owner or operator seeks a hearing in order to exceed
15 the limit on tourist season rental of vacant residential units
16 pursuant to Section 41.19(a)((2)) (3), the requirements of
17 41.11(b)(1), (b)(2) and (b)(3) above shall be applicable except as
18 specifically modified or enlarged herein:

19 (1) Notice of Hearing

20 Notice of hearing as provided in Section 41.11(b)(1) above
21 shall be given within fifteen (15) calendar days. The notice
22 requirements for the owner or operator shall also be applicable to
23 any interested party who has submitted a prior written request to
24 the Superintendent to be notified of such hearings.
25 ///

1 (2) Time of Hearing

2 The hearing shall be held within thirty (30) days of the
3 submission of the owner or operator's written request for hearing.

4 (3) Burden of Proof

5 Burden of proof is on the owner or operator.

6 (4) Interested Party

7 Any interested party shall be deemed a "party to the
8 hearing" for purposes of Section 41.11(b)(1).

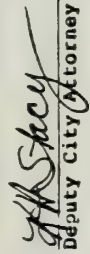
9 (5) Determination of the Hearing Officer

10 Based upon the evidence presented at the hearing, conducted
11 in accordance with Section 41.11(b)(3) above, the hearing officer
12 shall make findings as to (i) whether the residential unit was
13 vacant due to voluntary vacation of a permanent resident or was
14 vacant due to lawful eviction, (ii) whether the residential unit was
15 occupied for at least 50% of the period commencing on October 1 and
16 ending on April 30 of the previous year, (iii) whether the owner or
17 operator has committed unlawful action under this Chapter within 12
18 months prior to this request and (iv) whether the owner or operator
19 made good faith efforts to rent vacant residential units to
20 prospective permanent residents at no more than fair market value
21 for a comparable unit during the tourist season and yet was unable
22 to secure such rentals. Good faith efforts shall include, but not
23 be limited to, advertising the availability of the residential units
24 to the public. In determining fair market value of the residential
25 ///

1 (7) No application for such temporary conversion shall be
2 approved by the Department of Public Works to fill the unused
3 portion of the 60 residential unit limitation for the previous year.

4
5 APPROVED AS TO FORM:

6 LOUISE H. RENNE
7 City Attorney

8 BY 
9 Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading

July 6, 1992.

Ayes: Supervisors Conroy Gonzalez
Hallinan Heileh Maher Migden
Shelley

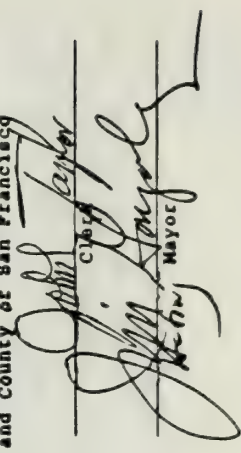
Absent: Supervisors Achtenberg
Alloto Britt Kennedy

Finally Passed

July 13, 1992

Ayes: Supervisors Britt Conroy
Gonzalez Hallinan Heileh Kennedy
Maher Shelley
Absent: Supervisors Achtenberg
Alloto Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco


John J. Sutter
City Clerk
Mayor

File No.
97-92-27

JUL 14 1992,

Date Approved

1 units, the hearing officer shall consider any data on rental of
2 comparable units, as defined in Section 41.4(b) herein.

3 (e) Decision

4 The hearing officer shall render a written decision and
5 findings within ten (10) working days of the hearing.

6 (f) Effect of Decision

7 The hearing officer's decision shall remain in effect for
8 the tourist season for which the owner or operator requested the
9 hearing. If the owner or operator wishes to exceed the 25% limit
10 during any subsequent tourist season, a new written request for
11 hearing must be submitted to the Superintendent of the Bureau of
12 Building Inspection.

13 (g) Construction

14 The purpose of this Section 41.19(b) is to supplement or
15 modify provisions of Section 41.11(b)(1) through (b)(3). Unless
16 otherwise specifically modified, all provisions of Sections
17 41.11(b)(1) through (b)(3) are deemed applicable to hearings
18 concerning the tourist season limitation on rental of vacant
19 residential units.

20 (c) Winter Rentals

21 A residential unit which is vacant at any time during the
22 period commencing on October 1 and ending on April 30 annually may
23 be rented as a tourist unit, provided that:
24
25

///

///

1 (1) Such owner or operator has been permitted to rent
2 residential units as tourist units in excess of 25% of the

3 residential units pursuant to Section 41.19(a)((2))(3) above;

4 (2) The owner or operator has not committed unlawful
5 action as defined in this Chapter within twelve (12) months prior to
6 the time of this request;

7 (3) A residential hotel may not rent in excess of 33% of
8 the total number of residential units or 20 residential units,
9 whichever is less, pursuant to this subsection;

10 (4) Applicants to temporarily convert residential units
11 pursuant to this subsection shall submit applications to the
12 Department of Public Works, in accordance with rules and regulations
13 promulgated by the Department of Public Works;

14 (5) A maximum of 60 residential units may be approved per
15 year to be rented as tourist units or non-residential units pursuant
16 to this subsection 41.19(c). In the event that the number of such
17 applications exceeds 60 residential units, the Department of Public
18 Works shall establish a lottery system based on priority ranking
19 where preference shall be accorded to residential hotel owners who
20 have been eligible more frequently than other hotel owners for
21 temporary conversion pursuant to subsection 41.19(a)((2))(3) above;
22 (6) Such non-residential use is permitted by the zoning
23 for such residential hotel; and
24
25

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1 [Unreinforced Masonry Buildings]
2 AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING CHAPTER 65
3 THERETO REQUIRING OWNERS UNDERTAKING SEISMIC WORK ON UNREINFORCED
4 MASONRY BUILDINGS PURSUANT TO BUILDING CODE CHAPTERS 14 AND 15 TO
5 REDUCE THEIR TENANTS' RENTS FOR LOST USE DURING CONSTRUCTION OR TO
6 PAY RELOCATION EXPENSES UP TO A MAXIMUM OF \$1500 PER DWELLING UNIT
7 PER MONTH.

8
9 Note: All sections are new.

10 Be it ordained by the People of the City and County of San Francisco:
11
12 Section 1. The San Francisco Administrative Code is hereby
13 amended by adding Chapter 65 thereto reading as follows:

14 CHAPTER 65

15 RENT REDUCTION AND RELOCATION PLAN FOR TENANTS
16 INCONVENIENCED BY SEISMIC WORK PERFORMED PURSUANT TO
17 CHAPTERS 14 AND 15 OF THE SAN FRANCISCO BUILDING CODE

18 SEC. 65.1. Applicability. This chapter shall apply to all
19 owners of residential dwelling units in San Francisco who perform
20 seismic strengthening work on unreinforced masonry buildings
21 pursuant to Chapters 14 and 15 of the San Francisco Building Code.

22 SEC. 65.2. Notice to Tenants. The owner or contractor shall
23 post a notice on the tenant's door no later than 24 hours prior to
24 beginning work in the tenant's dwelling unit. The notice shall also
25 be delivered by first class mail or delivered in person or placed

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under the tenant's dwelling unit door. The notice shall state when
a room or rooms are to be made available for the contractor and
shall state when the tenant will have the room or rooms back for his
or her use, and shall include other information as specified by the
Director of the Rent Board.

SEC. 65.3. Rent Reductions. A tenant who loses the use of
one or more rooms during the course of the seismic strengthening
program is entitled to reimbursement by the owner for lost use. For
purposes of this chapter, "lost use" shall be defined as any loss of
use of a room undergoing seismic work for the period stated in the
contractor's notice as provided in Section 65.2 above. The
permanent loss of 14 or less of the habitable square footage of the
entire dwelling unit shall be deemed de minimis and therefore shall
not constitute "lost use". If the permanent loss of habitable
square footage of the entire dwelling unit exceeds 14, then the Rent
Board will determine whether or not the loss is de minimis.

SEC. 65.4. Habitable Rooms; Kitchens. For purposes of this
chapter, "rooms" are those habitable rooms defined in Section 203.8
of the San Francisco Housing Code. A legal kitchen is a habitable
room.

SEC. 65.5. Rent Reduction Formula. The following method
shall be used to calculate rent reductions:

- (a) Total daily rent is the monthly rent divided by 31.
- (b) Value of a room per day is the total daily rent
divided by the number of rooms in the dwelling unit.

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(c) Days of lost use equals the number of days posted in the contractor's notice set forth in Section 65.2 above or the actual number of days that the room is unavailable for use, whichever is greater.

(d) Value of a room per day times the number of days of lost use times the number of rooms lost equals the rent reduction.

(e) For purposes of subsection (d) above, a legal kitchen which has lost its use is counted as two rooms. For purposes of subsection (b) above, a legal kitchen counts as one room.

(f) In addition to any rent reduction authorized by subsection (d) above, there shall be a rent reduction of 100% of the total daily rent after the first 4 hours of loss of heat, electricity or water in one or more usable rooms. There shall be a like reduction for every 24-hour period, or fraction thereof, until the heat, electricity or water is restored.

SEC. 65.6. Relocation Requirements. No tenant shall be required to vacate his or her dwelling unit during the course of the seismic strengthening of the building unless the owner offers the tenant one of the following:

(a) A comparable dwelling unit in the same building;

(b) A reasonably proximate, comparable dwelling unit in a building licensed by the city to provide relocation assistance and services to temporarily displaced tenants; or

(c) Payment of \$33 per tenant per day paid in advance at one week intervals, unless the tenant must relocate for more than 21

days, in which case the payment shall be paid in advance at one month intervals.

SEC. 65.7. Relocation Assistance Notice. The owner shall notify the tenant at least 30 days in advance which form of relocation assistance will be available and, if applicable, the estimated total cash amount. The notice shall state the estimated length of time the tenant will be displaced from his or her dwelling unit.

SEC. 65.8. Relocations Expenses. At least 10 days prior to the relocation date on the notice in Section 65.7 above, the owner shall offer the tenant the services of a mover or a payment of \$400 per room.

SEC. 65.9. Maximum Relocation Costs. The owner's total liability for relocation costs under Sections 65.6, 65.7 and 65.8 shall not exceed \$1,500 per dwelling unit per month.

SEC. 65.10. Rent Reductions or Relocation Payments. A tenant who receives relocation assistance shall not receive a rent reduction for his or her dwelling unit under Section 65.3 above.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Leodora R. Jolly
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading

§ Finally Passed

July 6, 1992

§ July 13, 1992

Ayes: Supervisors Britt Conroy
 Gonzalez Hallinan Hsieh Maher
 Migden Shelley

§ Ayes: Supervisors Britt Conroy
 Gonzalez Hallinan Hsieh Kennedy
 Maher Shelley

Absent: Supervisors Achtenberg
 Alloto Kennedy

§ Absent: Supervisors Achtenberg
 Alloto Migden

I hereby certify that the foregoing ordinance
 was finally passed by the Board of Supervisors
 of the City and County of San Francisco

File No.
 97-92-27.1

JUL 14 1992

Date Approved

[Signature]
 Clerk
[Signature]
 Acting Mayor

1 [Rent Bd.]

2 AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION

3 37.8B THERETO TO ESTABLISH EXPEDITED HEARING AND APPEAL PROCEDURES

4 FOR CAPITAL IMPROVEMENTS WHICH RESULT FROM SEISMIC WORK ON

5 UNREINFORCED MASONRY BUILDINGS PURSUANT TO BUILDING CODE CHAPTERS 14

6 AND 15 WHERE LANDLORDS PERFORMED THE WORK WITH A UMB BOND LOAN, BY

7 AMENDING SECTION 37.2 TO PROVIDE THAT DWELLING UNITS WHICH HAVE

8 UNDERGONE SEISMIC STRENGTHENING IN ACCORDANCE WITH BUILDING CODE

9 CHAPTERS 14 AND 15 SHALL REMAIN SUBJECT TO THE RENT ORDINANCE, WITH

10 EXCEPTION, BY AMENDING SECTION 37.3 TO LIMIT CERTAIN CAPITAL

11 IMPROVEMENT PASSTHROUGHS TO 10% PER YEAR OVER THE BASE RENT, SUBJECT

12 TO THE ADOPTION OF RENT BOARD RULES REGARDING LANDLORD HARDSHIP, AND

13 BY AMENDING SECTION 37.9 TO REQUIRE LANDLORDS WHO DEMOLISH THEIR

14 BUILDINGS PURSUANT TO THE BUILDING CODE CHAPTERS 14 AND 15 TO PAY

15 RELOCATION EXPENSES FOR THEIR TENANTS.

16 Note: Section 37.8B is entirely new and therefore not
17 underlined. Sections 37.2, 37.3 and 37.9 are amended
18 and therefore additions or substitutions are underlined;
19 deletions are in ((double parentheses)).

20 Be it ordained by the People of the City and County of San Francisco:

21 Section 1. The San Francisco Administrative Code is hereby

22 amended by adding Section 37.8B thereto reading as follows:

23 SEC. 37.8B. Expedited Hearing and Appeal Procedures for Capital

24 Improvements Resulting From Seismic Work on Unreinforced Masonry

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Migden, Hsieh, Achtenberg, Gonzalez

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1 Buildings Pursuant to Building Code Chapters 14 and 15 Where Landlords
2 Performed the Work with a UMB Bond Loan. This section contains the
3 exclusive procedures for all hearings concerning certification of the
4 above-described capital improvements. Landlords who perform such work
5 without a UMB bond loan are subject to the capital improvement
6 certification procedures set forth in Section 37.7 above.

7 (a) Requirements for Certification. The landlord must have
8 completed the capital improvements in compliance with the requirements
9 of Building Code Chapters 14 and 15. The certification requirements
10 of Section 37.7(b)(2) and (b)(3) are also applicable.

11 (b) Amortization and Cost Allocation; Interest. Costs shall be
12 equally allocated to each unit and amortized over a ten (10) year
13 period or the life of any loan acquired for the capital improvements,
14 whichever is longer. Interest shall be limited to the actual interest
15 rate charged on the loan and in no event shall exceed 10% per year.

16 (c) Eligible Items; Costs. Only those items required in order
17 to comply with Building Code Chapters 14 and 15 may be certified. The
18 allowable cost of such items may not exceed the costs set forth in the
19 Mayor's Office of Economic Planning and Development's publication of
20 estimated cost ranges for bolts plus retrofitting by building
21 prototype and/or categories of eligible construction activities.

22 (d) Hearing Procedures. The application procedures of Sections
23 37.7(f) apply to petitions for these expedited capital improvement
24 hearings; provided, however, that the landlord shall pay no filing fee
25 since the Board will not hire an estimator. The hearings shall be

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1 conducted according to the following procedures:

2 (1) Time of Hearing; Consolidation; Conduct of Hearing. The

3 hearing must be held within twenty-one (21) days of the filing of the
4 application. The consolidation and hearing conduct procedures of
5 Section 37.7(g)(2) and (g)(3) apply.

6 (2) Determination of Hearing Officer. In accordance with

7 the requirements of this section, the hearing officer shall make
8 findings as to whether or not the proposed rent increases are
9 justified based upon the following considerations:

10 (A) The application and its supporting documentation;

11 (B) Evidence presented at the hearing establishing both
12 the extent and the cost of the work performed; and

13 (C) The Mayor's Office of Planning and Economic

14 Development's bolts plus cost range publication; and

15 (D) Tenant objections that the work has not been

16 completed; and
17 (E) Any other such relevant factors as the Board shall
18 specify in rules and regulations.

19 (3) Findings of Fact; Effect of Decision. The hearing

20 officer shall make written findings of fact, copies of which shall be
21 mailed within twenty-one (21) days of the hearing. The decision of
22 the hearing officer is final unless the Board vacates it on appeal.

23 (e) Appeals. Either party may appeal the hearing officer's
24 decisions in accordance with the requirements of Section 37.8(f)(1),
25 (f)(2) and (f)(3). The Board shall decide whether or not to accept an

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1 appeal within twenty-one (21) days.

2 (1) Time of Appeal Hearing; Notice to Parties; Record;

3 Conduct of Hearing. The appeal procedures of Section 37.8(f)(5),
4 (f)(6), (f)(7), (f)(8) and (f)(9) apply; provided, however, that the
5 Board's decision shall be rendered within twenty (20) days of the
6 hearing.

7 (2) Rent Increases. A landlord may not impose any rent
8 increase approved by the Board on appeal without at least sixty (60)
9 days notice to the tenants.

10 Section 2. The San Francisco Administrative Code is hereby
11 amended by amending Sections 37.2 and 37.3 thereof to read as follows:

12 SEC. 37.2 Definitions.

13 (a) Base Rent. That rent which is charged a tenant upon
14 initial occupancy plus any rent increase allowable and imposed under
15 this chapter; provided, however, that base rent shall not include
16 increases imposed pursuant to Section 37.7 below or utility
17 pass-throughs pursuant to Section 37.2(o) below. Base rent for tenants
18 of RAP rental units in areas designated on or after July 1, 1977 shall
19 be that rent which was established pursuant to Section 32.73-1 of the
20 San Francisco Administrative Code. Rent increases attributable to the
21 Chief Administrative Officer's amortization of a RAP loan in an area
22 designated on or after July 1, 1977 shall not be included in the base
23 rent.

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1 (b) Board. The Residential Rent Stabilization and Arbitration
2 Board.

3 (c) Capital Improvements. Those improvements which materially
4 add to the value of the property, appreciably prolong its useful life,
5 or adapt it to new uses, and which may be amortized over the useful
6 life of the improvement of the building.

7 (d) CPI. Consumer Price Index for all Urban Consumers for the
8 San Francisco-Oakland Metropolitan Area, U.S. Department of Labor.

9 (e) Energy Conservation Measures. Work performed pursuant to
10 the requirements of Article 12 of the San Francisco Housing Code.

11 (f) Hearing Officer. A person, designated by the board, who
12 arbitrates rental increase disputes.

13 (g) Housing Services. Services provided by the landlord
14 connected with the use or occupancy of a rental unit including, but
15 not limited to, repairs, replacement, maintenance, painting, light,
16 heat, water, elevator service, laundry facilities and privileges,
17 janitor service, refuse removal, furnishings, telephone, parking and
18 any other benefits, privileges or facilities.

19 (h) Landlord. An owner, lessor, sublessor, who receives or is
20 entitled to receive rent for the use and occupancy of any residential
21 rental unit or portion thereof in the City and County of San
22 Francisco, and the agent, representative or successor of any of the
23 foregoing.

24 (i) Member. A member of the Residential Rent Stabilization and
25 Arbitration Board.

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1 (j) RAP. Residential Rehabilitation Loan Program (Chapter 32,
2 San Francisco Administrative Code).

3 (k) RAP Rental Units. Residential dwelling units subject to
4 RAP loans pursuant to Chapter 32, San Francisco Administrative Code.
5 (1) Real Estate Department. A city department in the City and
6 County of San Francisco.

7 (m) Rehabilitation Work. Any rehabilitation or repair work
8 done by the landlord with regard to a rental unit, or to the common
9 areas of the structure containing the rental unit, which work was done
10 in order to be in compliance with State or local law, or was done to
11 repair damage resulting from fire, earthquake or other casualty or
12 natural disaster.

13 (n) Rent. The consideration, including any bonus, benefits or
14 gratuity, demanded or received by a landlord for or in connection with
15 the use or occupancy of a rental unit, or the assignment of a lease
16 for such a unit, including but not limited to monies demanded or paid
17 for parking, furnishings, food service, housing services of any kind,
18 or subletting.

19 (o) Rent Increases. Any additional monies demanded or paid for
20 rent as defined in item (n) above, or any reduction in housing
21 services without a corresponding reduction in the monies demanded or
22 paid for rent; provided, however, that where the landlord has been
23 paying the tenant's utilities and cost of those utilities increase,
24 the landlord's passing through to the tenant of such increased costs
25 does not constitute a rent increase.

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1 (p) Rental Units. All residential dwelling units in the City
2 and County of San Francisco together with the land and appurtenant
3 buildings thereto, and all housing services, privileges, furnishings
4 and facilities supplied in connection with the use or occupancy
5 thereof, including garage and parking facilities. The term shall not
6 include:

7 (1) housing accommodations in hotels, motels, inns, tourist
8 houses, rooming and boarding houses, provided that at such time as an
9 accommodation has been occupied by a tenant for thirty-two (32)
10 continuous days or more, such accommodation shall become a rental unit
11 subject to the provisions of this chapter; provided further, no
12 landlord shall bring an action to recover possession of such unit in
13 order to avoid having the unit come within the provisions of this
14 chapter. An eviction for a purpose not permitted under Sec. 37.9(a)
15 shall be deemed to be an action to recover possession in order to
16 avoid having a unit come within the provisions of this chapter;
17 (2) dwelling units in non-profit cooperatives owned,
18 occupied and controlled by a majority of the residents;

19 (3) housing accommodations in any hospital, convent,
20 monastery, extended care facility, asylum, non-profit home for the
21 aged, or in dormitories owned and operated by an institution of higher
22 education, a high school, or an elementary school;

23 (4) dwelling units whose rents are controlled or regulated
24 by any government unit, agency or authority, excepting those
25 unsubsidized and/or unassisted units which are insured by the

1 United States Department of Housing and Urban Development; provided,
2 however, that units in unreinforced masonry buildings which have
3 undergone seismic strengthening in accordance with Building Code
4 Chapters 14 and 15 shall remain subject to the Rent Ordinance to the
5 extent that the Ordinance is not in conflict with the seismic
6 strengthening bond program or with the programs' loan agreements or
7 with any regulations promulgated thereunder;

8 (5) owner-occupied buildings containing four (4) residential
9 rental units or less, wherein owner has resided for at least six
10 continuous months;

11 (6) rental units located in a structure for which a
12 certificate of occupancy was first issued after the effective date of
13 this ordinance, except as provided in Section 37.9A(b) of this chapter.

14 (7) dwelling units in a building which has undergone
15 substantial rehabilitation after the effective date of this ordinance;
16 provided, however, that RAP rental units are not subject to this
17 exemption.

18 (q) Substantial Rehabilitation. The renovation, alteration or
19 remodeling of residential units of 50 or more years of age which have
20 been condemned or which do not qualify for certificates of occupancy
21 or which require substantial renovation in order to conform the
22 building to contemporary standards for decent, safe and sanitary
23 housing. Substantial rehabilitation may vary in degree from gutting
24 and extensive reconstruction extensive improvements that cure
25 substantial deferred maintenance. Cosmetic improvements alone such as

1 painting, decorating and minor repairs, or other work which can be
2 performed safely without having the unit vacated do not qualify as
3 substantial rehabilitation.
4 (r) Tenant. A person entitled by written or oral agreement,
5 sub-tenancy approved by the landlord, or by sufferance, to occupy a
6 residential dwelling unit to the exclusion of others.
7 (s) Utilities. The term "utilities" shall refer to gas and
8 electricity exclusively.

9 SEC. 37.3 Rent Limitations.

10 (a) Rent Increase Limitations for Tenants in Occupancy.

11 Landlords may impose rent increases upon tenants in occupancy only as
12 provided below:

13 (1) Annual Rent Increase. On March 1 of each year, the
14 Board shall publish the increase in the CPI for the preceding 12
15 months, as made available by the U.S. Department of Labor. A landlord
16 may impose annually a rent increase which does not exceed a tenant's
17 base rent by more than 60% of said published increase. In no event,
18 however, shall the allowable annual increase be less than 4% or
19 greater than 7%.

20 (2) Banking. A landlord who refrains from imposing an
21 annual rent increase or any portion thereof may accumulate said
22 increase and impose that amount on the tenant's subsequent rent
23 increase anniversary dates. A landlord who, between April 1, 1982 and
24 February 29, 1984, has banked an annual 7% rent increase (or rent
25 increases) or any portion thereof may impose the accumulated increase

1 on the tenant's subsequent rent increase anniversary dates.
2 (3) Capital Improvements, Rehabilitation, and Energy
3 Conservation Measures. A landlord may impose rent increases based
4 upon the cost of capital improvements, rehabilitation or energy
5 conservation measures provided that such costs are certified pursuant
6 to Sections 37.7 and 37.8B below(()); provided further that where a
7 landlord has performed seismic strengthening in accordance with
8 Building Code Chapters 14 and 15, no increase for capital improvements
9 (including but not limited to seismic strengthening) shall exceed, in
10 any twelve (12) month period, 10% of the tenant's base rent, subject
11 to rules adopted by the Board to prevent landlord hardship and to
12 permit landlords to continue to maintain their buildings in a decent,
13 safe and sanitary condition. A landlord may accumulate any certified
14 increase which exceeds this amount and impose the increase in
15 subsequent years, subject to the 10% limitation. Nothing in this
16 subsection shall be construed to supersede any Board rules or
17 regulations with respect to limitations on increases based upon
18 capital improvements whether performed separately or in conjunction
19 with seismic strengthening improvements pursuant to Building Code
20 Chapters 14 and 15.
21 (4) Utilities. A landlord may impose increases based upon
22 the cost of utilities as provided in Section 37.2(o) above.
23 (5) Charges Related to Excess Water Use. A landlord may
24 impose increases not to exceed fifty percent of the excess use charges
25 (penalties) levied by the San Francisco Water Department on a building

1 for use of water in excess of Water Department allocations under the
2 following conditions:

3 (A) The landlord provides tenants with written

4 certification that the following have been installed in all units:

5 (1) permanently-installed retrofit devices designed to reduce the
6 amount of water used per flush or low-flow toilets (1.6 gallons per
7 flush); (2) low-flow showerheads which allow a flow of no more than
8 2.5 gallons per minute; and (3) faucet aerators (where installation on
9 current faucets is physically feasible); and

10 (B) The landlord provides the tenants with written

11 certification that no known plumbing leaks currently exist in the
12 building and that any leaks reported by tenants in the future will be
13 promptly repaired; and

14 (C) The landlord provides the tenants with a copy of the
15 water bill for the period in which the penalty was charged.

16 Only penalties billed for a service period which begins after the
17 effective date of the ordinance [April 20, 1991] may be passed through
18 to tenants. Where penalties result from an allocation which does not
19 reflect documented changes in occupancy which occurred after March 1,
20 1991, a landlord must, if requested in writing by a tenant, make a
21 good faith effort to appeal the allotment. Increases based upon
22 penalties shall be pro-rated on a per room basis provided that the
23 tenancy existed during the time the penalty charges accrued. Such
24 charges shall not become part of a tenant's base rent. Where a
25 penalty in any given billing period reflects a 25% or more increase in

1 consumption over the prior billing period, and where that increase
2 does not appear to result from increased occupancy or any other known
3 use, a landlord may not impose any increase based upon such penalty
4 unless inspection by a licensed plumber or Water Department inspector
5 fails to reveal a plumbing or other leak. If the inspection does
6 reveal a leak, no increase based upon penalties may be imposed at any
7 time for the period of the unrepaired leak.

8 (6) RAP Loans. A landlord may impose rent increases
9 attributable to the Chief Administrative Officer's amortization of the
10 RAP loan in an area designated on or after July 1, 1977 pursuant to
11 Chapter 32 of the San Francisco Administrative Code.

12 (7) Additional Increases. A landlord who seeks to impose
13 any rent increase which exceeds those permitted above shall petition
14 for a rental arbitration hearing pursuant to Section 37.8 of this
15 chapter.

16 (b) Notice of Rent Increase for Tenants in Occupancy. On or
17 before the date upon which a landlord gives a tenant legal notice of a
18 rent increase, the landlord shall inform the tenant, in writing, of
19 the following:

20 (1) Which portion of the rent increase reflects the annual
21 increase, and/or a banked amount, if any;

22 (2) Which portion of the rent increase reflects costs for
23 capital improvements, rehabilitation, or energy conservation measures
24 certified pursuant to Section 37.7;

25 (3) Which portion of the rent increase reflects the

1 passthrough of charges for gas and electricity, which charges shall be
2 explained;
3 (4) Which portion of the rent increase reflects the
4 amortization of the RAP loan, as described in Section 37.3(a)(5) above
5 (5) Nonconforming Rent Increases. Any rent increase which
6 does not conform with the provisions of this section shall be null and
7 void.

8 (c) Initial Rent Limitation for Subtenants. A tenant who
9 subleases his or her rental unit may charge no more rent upon initial
10 occupancy of the subtenant or subtenants than that rent which the
11 tenant is currently paying to the landlord.

12 Sec. 37.9. Evictions.

13 Notwithstanding Section 37.3, this section shall apply as of
14 August 24, 1980, to all landlords and tenants of rental units as
15 defined in Section 37.2(p).

16 (a) A landlord shall not endeavor to recover possession of a
17 rental unit unless:

18 (1) The tenant has failed to pay the rent to which the
19 landlord is lawfully entitled under the oral or written agreement
20 between the tenant and landlord or habitually pays the rent late or
21 gives checks which are frequently returned because there are
22 insufficient funds in the checking account; or

23 (2) The tenant has violated a lawful obligation or covenant
24 of tenancy other than the obligation to surrender possession upon
25

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1 proper notice and failure to cure such violation after having received
2 written notice thereof from the landlord; or

3 (3) The tenant is committing or permitting to exist a
4 nuisance in, or is causing substantial damage to, the rental unit, or
5 is creating a substantial interference with the comfort, safety or
6 enjoyment of the landlord or other tenants in the building, and the
7 nature of such nuisance, damage or interference is specifically stated
8 by the landlord in the writing as required by Section 37.9(c); or

9 (4) The tenant is using or permitting a rental unit to be
10 used for any illegal purpose; or

11 (5) The tenant, who had an oral or written agreement with
12 the landlord which has terminated, has refused after written request
13 or demand by the landlord to execute a written extension or renewal
14 thereof for a further term of like duration and under such terms which
15 are materially the same as in the previous agreement provided that
16 such terms do not conflict with any of the provisions of this chapter;
17 or

18 (6) The tenant has, after written notice to cease, refused
19 the landlord access to the rental unit as required by state or local
20 law; or

21 (7) The tenant holding at the end of the term of the oral or
22 written agreement is a subtenant not approved by the landlord; or

23 (8) (A) For landlords who become owners of record of the
24 rental unit on or before the thirtieth (30th) day after the Mayor has
25 approved this amendment, the landlord seeks to recover possession in

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1 good faith, without ulterior reasons and with honest intent, for the
2 landlord's use or occupancy as his or her principal residence, or for
3 the use and occupancy as the principal residence of the landlord's
4 children, parents, grandparents, grandchildren, brother or sister, or
5 the landlord's spouse or the spouses of such relations, for a period
6 of at least 12 continuous months. For purposes of this subsection,
7 the term landlord shall be defined as an owner of record of at least
8 10% interest in the property. A landlord may not recover possession
9 under this subsection if a comparable unit in the building is already
10 vacant and available, or if such a unit becomes vacant and available
11 during the period of the notice terminating tenancy. If a comparable
12 unit does become vacant and available during said notice period, the
13 landlord shall rescind the notice to vacate. It shall be rebuttably
14 presumed that the landlord has not acted in good faith if the owner or
15 relative for whom the tenant was evicted does not move into the unit
16 and occupy said unit for a minimum of 12 continuous months; or

17 (B) For landlords who become owners of record of the
18 rental unit more than thirty (30) days after the Mayor has approved
19 this amendment, the landlord seeks to recover possession in good
20 faith, without ulterior reasons and with honest intent for the
21 landlord's use or occupancy as his or her principal residence, or for
22 the use and occupancy as the principal residence of the landlord's
23 children, parents, grandparents, grandchildren, brother or sister, or
24 the landlord's spouse or the spouses of such relations for a period of
25 at least 12 continuous months. For purposes of this subsection, the

1 term landlord shall be defined as an owner of record of at least 25%
2 interest in the property. A landlord may not recover possession under
3 this subsection if a comparable unit in the building is already vacant
4 and available, or if such a unit becomes vacant and available during
5 the period of the notice terminating tenancy. If a comparable unit
6 does become vacant and available during said notice period, the
7 landlord shall rescind the notice to vacate. It shall be rebuttably
8 presumed that the landlord has not acted in good faith if the owner or
9 relative for whom the tenant was evicted does not move into the unit
10 and occupy said unit for a minimum of 12 continuous months; or

11 (9) The landlord seeks to recover possession in good faith
12 in order to sell the unit in accordance with a condominium conversion
13 approved under the San Francisco subdivision ordinance and does so
14 without ulterior reasons and with honest intent; or

15 (10) The landlord seeks to recover possession in good faith
16 in order to demolish or to otherwise permanently remove the rental
17 unit from housing use and has obtained all the necessary permits on or
18 before the date upon which notice to vacate is given, and does so
19 without ulterior reasons and with honest intent; provided that a
20 landlord who seeks to demolish an unreinforced masonry building
21 pursuant to Building Code Chapters 14 and 15 must provide the tenant
22 with the relocation assistance specified in Section 37.9A(f) below
23 prior to the tenant's vacating the premises; or
24 (11) The landlord seeks in good faith to remove temporarily
25 the unit from housing use in order to be able to carry out capital

1 improvements or rehabilitation work and has obtained all the necessary
2 permits on or before the date upon which notice to vacate is given,
3 and does so without ulterior reasons and with honest intent. Any
4 tenant who vacates the units under such circumstances shall have the
5 right to reoccupy the unit at the prior rent adjusted in accordance
6 with the provisions of this chapter. The tenant will vacate the unit
7 only for the minimum time required to do the work. On or before the
8 date upon which notice to vacate is given, the landlord shall advise
9 the tenant in writing that the rehabilitation or capital improvement
10 plans are on file with the Central Permit Bureau of the Department of
11 Public Works located at 450 McAllister Street and that arrangements
12 for reviewing such plans can be made with the Central Permit Bureau.
13 In addition to the above, no landlord shall endeavor to recover
14 possession of any unit subject to a RAP loan as set forth in Section
15 37.2(k) of this chapter except as provided in Section 32.69 of the San
16 Francisco Administrative Code. The tenant shall not be required to
17 vacate pursuant to this subsection for a period in excess of three
18 months provided, however, that such time period may be extended by the
19 Board or its hearing officers upon application by the landlord. The
20 Board shall adopt rules and regulations to implement the application
21 procedure. Any landlord who seeks to recover possession under this
22 subsection shall pay the tenant actual costs up to \$1,000.00 for
23 moving and relocation expenses not less than 10 days prior to recovery
24 of possession; or

(12) The landlord seeks to recover possession in good faith

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BOARD OF SUPERVISORS

1 in order to carry out substantial rehabilitation, as defined in Sec.
2 37.2(q), and has obtained all the necessary permits on or before the
3 date upon which notice to vacate is given, and does so without
4 ulterior reasons and with honest intent. Notwithstanding the above,
5 no landlord shall endeavor to recover possession of any unit subject
6 to a RAP loan as set forth in Section 37.2(k) of this chapter except
7 as provided in Section 32.69 of the San Francisco Administrative Code;
8 or

(13) The landlord, who does not have cause to evict under any
9 other provision of this subsection (a), wishes to withdraw from rent
10 or lease all rental units within any detached physical structure and,
11 in addition, in the case of any detached physical structure containing
12 three or fewer rental units, any other rental units on the same lot,
13 and complies in full with Section 37.9A with respect to each such
14 unit; provided, however, that a unit classified as a residential unit
15 under chapter 41 of this Code which is vacated under this subsection
16 may not be put to any use other than that of a residential hotel unit
17 without compliance with the provisions of Section 41.9 of this Code.

(b) A landlord who resides in the same rental unit with his or
19 her tenant may evict said tenant without just cause as required under
20 subsection (a) above.

(c) A landlord shall not endeavor to recover possession of a
22 rental unit unless at least one of the grounds enumerated in
23 subsections (a) or (b) above is the landlord's dominant motive for
24 recovering possession and unless the landlord informs the tenant in
25

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1 writing on or before the date upon which notice to vacate is given of
2 the grounds under which possession is sought and that advice regarding
3 the notice to vacate is available from the Residential Rent
4 Stabilization and Arbitration Board, before endeavoring to recover
5 possession. A copy of all notices to vacate except 3-day notices to
6 vacate or pay rent and a copy of any additional written documents
7 informing the tenant of the grounds under which possession is sought
8 shall be filed with the Board within 10 days following service of the
9 notice to vacate. The District Attorney shall determine whether the
10 units set forth on the list compiled on accordance with Section
11 37.6(k) are still being occupied by the tenant who succeeded the
12 tenant upon whom the notice was served. In cases where the District
13 Attorney determines that Section 37.9(a)(9) has been violated, the
14 District Attorney shall take whatever action he deems appropriate
15 under this chapter or under state law.

16 (d) No landlord may cause a tenant to quit involuntarily or
17 threaten to bring any action to recover possession, or decrease any
18 services, or increase the rent, or take any other action where the
19 landlord's dominant motive is retaliation for the tenant's exercise of
20 any rights under the law. Such retaliation shall be a defense to any
21 action to recover possession. In an action to recover possession of a
22 rental unit, proof of the exercise by the tenant of rights under the
23 law within 6 months prior to the alleged act of retaliation shall
24 create a rebuttable presumption that the landlord's act was
25 retaliatory.

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BOARD OF SUPERVISORS

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1 (e) It shall be unlawful for a landlord or any other person who
2 willfully assists the landlord to endeavor to recover possession or to
3 evict a tenant except as provided in Sec. 37.9(a) and (b). Any person
4 endeavoring to recover possession of a rental unit from a tenant or
5 evicting a tenant in a manner not provided for in Sec. 37.9(a) or (b)
6 without having a substantial basis in fact for the eviction as
7 provided for in Sec. 37.9(a) shall be guilty of a misdemeanor and
8 shall be subject, upon conviction, to the fines and penalties set
9 forth in Sec. 37.10. Any waiver by a tenant of rights under this
10 chapter shall be void as contrary to public policy.

11 (f) Whenever a landlord wrongfully endeavors to recover
12 possession or recovers possession of a rental unit in violation of
13 Sections 37.9 and/or 37.10 as enacted herein, the tenant or board may
14 institute a civil proceeding for injunctive relief, money damages of
15 not less than three times actual damages, and whatever other relief
16 the court deems appropriate. The prevailing party shall be entitled
17 to reasonable attorney's fees and costs pursuant to order of the
18 court. The remedy available under this subsection shall be in
19 addition to any other existing remedies which may be available to the
20 tenant or the board.

21 APPROVED AS TO FORM:

22 LOUISE H. PENNE, City Attorney

23 BY:

24 Deputy City Attorney

25 2930g

BOARD OF SUPERVISORS

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07/03/92

Board of Supervisors, San Francisco

Passed for Second Reading

§ Finally Passed

July 6, 1992

§ July 13, 1992

Ayes: Supervisors Britt Conroy
 Gonzalez Hallinan Hsieh Maher
 Migden Shelley

§ Ayes: Supervisors Britt Conroy
 § Gonzalez Hallinan Hsieh Kennedy
 § Maher Shelley

Absent: Supervisors Achtenberg
 Alloto Kennedy

§ Absent: Supervisors Achtenberg
 § Alloto Migden

I hereby certify that the foregoing ordinance
 was finally passed by the Board of Supervisors
 of the City and County of San Francisco

File No.
 97-92-27.2

JUL 14 1992

Date Approved

[Signature]
 Mayor

1 (Fees)

2 AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 8.14

3 THEREOF, AUTHORIZING THE MEDICAL EXAMINER-CORONER TO CHARGE FEES FOR CERTAIN

4 SERVICES AND TO INCREASE FEES FOR COPIES OF DOCUMENTS AND CERTAIN SERVICES.

5 NOTE: Deletions - Double parentheses (()); Additions --

6 Underscored.

7 Be it ordained by the People of the City and County of San Francisco:

8 Section 1. The San Francisco Administrative Code is hereby amended by

9 amending Section 8.14 thereof, to read as follows:

10 Sec. 8.14 Medical Examiner-Coroner's Fees for copies of documents and

11 certain services.

12 The Medical Examiner-Coroner is hereby authorized to charge fees to defray

13 the cost of the issuance of the following mentioned documents and the providing

14 of the following services. Any persons requesting such documents or services

15 shall pay the following fees:

16 Proof of death for insurance purposes \$ ((2.00)) 5.00

17 Statement of attending physician at death . . . ((2.00)) 5.00

18 Certified copy of verdict of inquest ((2.00)) 5.00

19 Certified copy of necropsy report ((5.00)) 7.50

20 Certified copy of pathological report ((5.00)) 7.50

21 Certified copy of toxicological report ((5.00)) 7.50

22 Certified copy of Coroner's register page . . . ((5.00)) 7.50

23 Search of records ((5.00)) 7.50

24 Disaster bags for decomposed ((or)) accident

25 or infectious disease cases 15.00

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1 Forensic autopsy performed on ((non-coroner's))

2 non-medical examiner-coroner's cases or

3 outside county ((900.00)) 1,200.00

4 X-rays ((on non-coroner's cases)) ((8.00/ea.)) 50.00/ea.

5 Copies of X-rays ((5.00/ea.)) 10.00/ea.

6 Re-cut microscopic slides ((8.00/ea.)) 10.00/ea.

7 Outside use of facilities for identification of

8 remains ((25.00)) 30.00

9 Storage of remains for funeral directors for other

10 than medical examiner-coroner's cases, per day ((5.00)) 25.00

11 Removal and storage of remains from rest homes or

12 other agencies that have no facilities for cold

13 storage ((45.00)) 100.00

14 Removal and storage of body at Medical Examiner-

15 Coroner's Office (Gov. Code § 27472) 100.00

16 Autopsy reports to hospitals and attending

17 physicians ((2.00)) 5.00

18 Certified copy of letter confirming death pending

19 completion of autopsy ((2.00)) 5.00

20 Forensic alcohol report ((55.00)) 65.00*

21 ((Blood screen for drugs, I 125.00))

22 ((Blood screen for drugs, II 150.00))

23 Blood quantitation for drugs 250.00

24 Urine ((screen)) testing for drugs ((125.00)) 250.00

25 Gastric screen ((125.00)) 150.00

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BOARD OF SUPERVISORS

DOCUMENT NO. 222-22

JUL 30 1992

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1 Tissue screen ((150.00)) 175.00
 2 Pre-trial conference at Medical Examiner
 3 Coroner's Office ((75.00)) 100.00/hr.
 4 Pre-trial conference at county of request ((90.00/hr.)) 250.00/hr.**
 5 Deposition at Medical Examiner-Coroner's Office ((100.00/hr.)) 150.00/hr.
 6 Deposition outside of San Francisco County ((150.00/hr.)) 200.00/hr.**
 7 Court testimony, criminal case, toxicologist ((110.00/hr.)) 200.00/hr.
 8 Court testimony, criminal case, forensic
 9 pathologist ((200.00/hr.)) 250.00/hr.**

10 Pursuant to Section 27472 of the Government Code, whenever custody of
 11 a dead body is taken by the Medical Examiner-Coroner pursuant to law, the
 12 Medical Examiner-Coroner may charge and collect from the person entitled to
 13 control of the remains, as specified in Section 7100 of the Health and
 14 Safety Code, the actual expense incurred in removing the body from the
 15 place of death and keeping the body until its release to the person
 16 responsible for its interment. The charge shall be an amount not to exceed
 17 \$100, and shall not include expenses of keeping the body during the time
 18 necessary for the Medical Examiner-Coroner to perform his or her duties in
 19 connection with it. The charge, if not paid, may be considered a part of
 20

21
 22
 23 * Includes court appearance if service contract; otherwise court,
 24 travel, and expert fees will be added.
 25 ** Travel and accommodation charges will be the responsibility of
 requesting agency.
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BOARD OF SUPERVISORS

1 the funeral expenses and paid as a preferred charge against the estate of
 2 the decedent.
 3 All cases brought into the Medical Examiner-Coroner's Office facility
 4 shall be billed for transportation, personnel handling, and storage costs,
 5 except for the following categories of cases:

1. Decedents under 14 years of age.
2. Homicides.
3. In custody or police involved cases
4. Indigents (County disposition).
5. Cases in which private charitable funds available to pay funeral costs would thereby be reduced so as to preclude payment.
6. Cases specifically exempted by the Medical Examiner-Coroner or his designee.

14 All fees set for toxicology testing for outside county, federal and state
 15 agencies shall be the maximum charges listed above; however, lower fees may be
 16 negotiated for service contract work.

17 ((All fees received by the Coroner in payment of the issuance of the
 18 documents and the providing of certain services mentioned in this section shall
 19 be deposited with the Treasurer and recorded as revenue for the Medical
 20 Examiner-Coroner's Office.))

21 All fees received for documents and services mentioned in this section
 22 shall be deposited with the Treasurer and shall be used to defray the costs
 23 incurred by the Medical Examiner-Coroner in issuing such documents or providing
 24 such services.
 25

7/6/92

BOARD OF SUPERVISORS

Approved as to form:

LOUISE RENNE, City Attorney

By: Frederic P. Selley
Deputy City Attorney

7/6/92

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BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

§ Finally Passed

July 6, 1992

§ July 13, 1992

Ayes: Supervisors Achtenberg Britt
Conroy Hallinan Haieh Maher
Migden Shelley

§ Ayes: Supervisors Conroy Gonzalez
Hallinan Haieh Kennedy Maher
Shelley

Absent: Supervisors Alioto Gonzalez
Kennedy

§ Absent: Supervisors Achtenberg
Alioto Britt Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

File No.
97-92-34

JUL 14 1992

Date Approved

Frederic P. Selley
City Attorney
John J. Achtenberg
Mayor

(Street Closure Fees)

AMENDING CHAPTER 2, ARTICLE VIII, SAN FRANCISCO ADMINISTRATIVE CODE
(TEMPORARY USE OR OCCUPANCY OF PUBLIC STREETS), BY AMENDING SECTION
SECTION 2.70-6 THEREOF, TO INCREASE THE APPLICATION FEE FOR
TEMPORARY USE OF STREETS FOR STREET FAIRS FROM FORTY DOLLARS TO
EIGHTY DOLLARS.

Note: Additions or substitutions are underlined;
deletions are in ((double parentheses))

Be it ordained by the people of the City and County of San Francisco:
Section 1. Chapter 2, Article VIII, of the San Francisco
Administrative Code (Temporary Use or Occupancy of Public Streets)
is hereby amended by amending Section 2.70-6 thereof to read as
follows:

SEC. 2.70-6. TEMPORARY USE OF STREETS FOR STREET FAIRS.

(a) Definitions. For the purpose of this section, the
following definitions shall apply:

(1) "Director" means the Director of Public Works or his or
her designee.

(2) To "issue" a permit is to deliver to an applicant for a
street fair permit written permission to sponsor or hold a street
fair at a specified date and location.

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4218W

BOARD OF SUPERVISORS

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(3) "Sponsor" means that organization responsible for
organizing a street fair and authorized to represent the street fair
before City agencies and officials.

(4) A "street fair" means a social or community event, not
including an athletic event or parade, in which any group of persons
convene to celebrate their community or neighborhood on any street
in the City and County of San Francisco which event obstructs or
interferes with the normal flow of vehicular traffic.

(b) Applying for Temporary Use of Street for Street Fair.
Notwithstanding any other provisions of the Administrative Code of
the City and County of San Francisco, the regulation of street
fairs, including the processes for obtaining permits from the City
for conducting these street fairs and the payment of associated fees
to the City, shall be governed by Section 2.70-6 of the
Administrative Code. In order to provide for the safe, orderly and
cost-effective conduct of street fairs, any organization seeking
permission for the temporary use of a street for the purpose of
conducting a street fair shall file an application with the Director
no later than 90 days prior to the proposed date for the event.
Applications shall be submitted on forms prepared by the Director
after conferring with the appropriate representatives from the
Police Department, Fire Department, Department of Public Health, and
the Municipal Railway. At the time of filing an application under
this section, the sponsoring organization shall also file ((a \$40))
an \$80 application fee.

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BOARD OF SUPERVISORS

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06/09/97

1 (c) Timeliness of Applications. No person submitting an
2 application after the deadlines set forth in this ordinance shall be
3 granted permission to conduct a street fair in the corresponding
4 period unless the person demonstrates to the satisfaction of the
5 director of public works that the failure to submit a timely
6 application was justified by extraordinary circumstances; provided,
7 however, that in no event shall an applicant be permitted to file an
8 application less than 60 days prior to the proposed date for the
9 event. A late fee of \$40 shall be assessed for untimely filed
10 applications.

11 (d) Review of Application.

12 (1) Upon receiving an application for permission for the
13 temporary use of a street for purposes of conducting a street fair,
14 the Director shall review the application to determine whether the
15 information required in the application has been provided. If the
16 Director determines that the applicant has failed to provide the
17 information required, the Director shall, within five business days
18 of receiving the application, notify the applicant of what
19 additional information is required. If the applicant fails to
20 provide the additional information required within five business
21 days of notification by the Director, the applicant's application
22 shall be deemed to be untimely filed; provided, however, that upon
23 good cause shown the Director may extend this five-day period.
24 Except as provided in Subsection (2) of this section, the Director
25 shall transmit the completed application to ISCOTT.

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1 (2) If, upon reviewing the application, the Director
2 determines that the proposed street fair will be contained within
3 one block in such manner that no intersections will be closed, and
4 that the proposed street fair will not require the rerouting of
5 Municipal Railway vehicles, the Director may grant the street fair
6 permit without referring the application to ISCOTT, provided however
7 that the Director shall transmit copies of the applications to the
8 constituent members of ISCOTT for informational purposes. The
9 Director will calculate the fee to be charged to the sponsor using
10 the same schedule and in the same manner as prescribed in Subsection
11 (g) of this section. If such a street fair will include the sale of
12 food or beverages, the appropriate permits shall be obtained from
13 the Department of Public Health no later than 14 days prior to the
14 date of the event.

15 (e) Review by ISCOTT; Recommendation. Except as provided in
16 Subsection (d)(2) of this section, no later than 60 days prior to
17 the proposed date of the street fair, ISCOTT shall review the
18 application and shall recommend that the Director grant, deny, or
19 grant with conditions the application for a permit. The Director
20 may accept or reject the recommendation of ISCOTT, and may grant,
21 deny or grant with conditions the application for a permit. Upon
22 granting permission to conduct a street fair, the Director shall
23 cause all necessary permits to be issued to the sponsor of the
24 street fair. If the Director denies permission to conduct the
25

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street fair, the Director shall state in writing his or her reasons for the denial.

(f) Fee. No later than 60 days prior to the proposed date of the street fair and in consultation with other City departments, ISCOTT shall determine the fee to be charged for the permit pursuant to the schedule below. No other fee for conducting a street fair shall be required or assessed. All fees paid by the sponsors for street fair permits shall be deposited in the general fund and credited to the appropriate departments. The fee shall be based on the actual costs to the City of temporarily closing the street for the street fair, pursuant to the following fee schedule:

Fire Department fee: \$129.00

Public Health:

Application fee: \$50.00 application fee payable by sponsor, or where no sponsor, by individual vendor

Permit fee: \$25.00 per booth selling food or beverages (first day)
\$10.00 per booth selling food or beverages (each day after first day)

Municipal Railway fee: \$4.42 per electrically powered vehicle hour per line affected, where "vehicle hour" means the number of hours each coach on a

line is in operation during the day of the event
40 percent of the projected Police Department costs incurred by reason of the street fair; provided, that this fee shall not exceed \$2,500.
ISCOTT shall waive all or part of this fee upon a showing that the sponsors of the event are unable to pay the full fee.

If the Director grants the application for a permit, he or she shall transmit to the sponsor an invoice for the fee. The sponsor of the street fair shall make full payment of the fee no later than 10 days prior to the date of the event.

(g) Insurance. Street fair sponsors shall be required to file with the Director proof of the insurance required by San Francisco Administrative Code Section 2.71(l) no later than the Thursday before the date of the street fair.

(h) Conditions. In addition to any other conditions imposed by the Director, any street fair conducted pursuant to this Article shall be subject to the conditions set forth in San Francisco Administrative Code Section 2.71.

(i) Appeals. Any appeal from the denial of the issuance of a permit to conduct a street fair, from the imposition of conditions on the issuance of a permit, or the determination or refund of fees

1 shall be to the Board of Supervisors. Such appeal shall be made by
2 filing with the Clerk of the Board, on a form provided by the Clerk
3 of the Board, within 10 days of the Director's approval or
4 disapproval or the determination or refund of fees. Upon receipt,
5 the Clerk shall set a time and place for hearing such appeal by the
6 Board of Supervisors, which shall be at its next regular meeting in
7 conformance with public notice requirements.

8 At the appeal hearing, the appellant and Director shall have
9 an opportunity to present oral testimony and written materials in
10 support of their positions. Upon hearing the appeal, and after any
11 further investigation which the Board may request, the Board may
12 affirm, reverse, or modify the Director's decision on the issue
13 appealed.

14 (j) Notice. The Director shall transmit copies of the
15 granting of permission to conduct a street fair to the Chief of
16 Police, the Chief of the Fire Department, the General Manager of the
17 Municipal Railway, the Director of the Bureau of Environmental Health
18 Services of the Department of Public Health and the Superintendent
19 of Emergency Hospital Service of the Department of Public Health.

20 (k) Authorization to Sell Goods; Unauthorized Sales. The
21 sponsor of a street fair shall determine which individuals or
22 organizations may sell goods or merchandise on a street that has
23 been closed for the purposes of conducting a street fair, provided,
24 however, that such authorization shall not be withheld on the basis
25 of the race, sex, religion, creed, national origin or sexual

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06/06/91

BOARD OF SUPERVISORS

1 orientation of the person seeking such authorization. Individuals
2 seeking to sell goods or merchandise in a street that has been
3 closed for the purpose of a street fair without the authorization of
4 a sponsor may be cited for violating San Francisco Police Code
5 Section 86.9 (peddling without a permit). Nothing in this section
6 shall be construed to deprive the Department of Public Health of its
7 authority to determine that foods or beverages may be sold.

8 (l) Refund of Fees. If for any reason a sponsor cancels a
9 proposed street fair, the sponsor shall be entitled to a refund of
10 that portion of the fees paid, other than application fees,
11 representing the costs saved by City departments by reason of the
12 cancellation of the street fair.

13 (m) Annual Report. No later than December 1st of each year,
14 the Chief of Police or his or her designee shall provide to the
15 Board of Supervisors a written report setting forth in detail the
16 Police Department costs associated with street fairs for that year.

17 (n) City Undertaking Limited to Promotion of General
18 Welfare. In undertaking the adoption and enforcement of this
19 section, the City is assuming an undertaking only to promote the
20 general welfare. It is not assuming, nor is it imposing on its
21 officers or employees, an obligation for breach of which the City is
22 liable in money damages to any person who claims that such breach
23 proximately caused injury.

24 (o) Severability. If any part of this section, or the
25 application thereof, is held to be invalid, the remainder of this

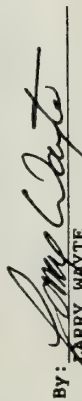
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06/06/91

BOARD OF SUPERVISORS

ordinance shall not be affected thereby, and this ordinance shall
 otherwise continue in full force and effect. To this end, the
 provisions of this ordinance, and each of them, is severable.

APPROVED AS TO FORM:

LOUISE H. RENNE
 City Attorney

By: 
 LARRY WAYNE
 Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading

July 6, 1992.

§ Finally Passed
 §
 § July 13, 1992
 §

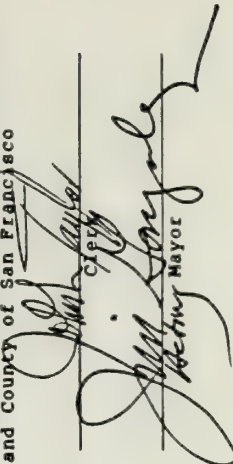
Ayes: Supervisors Achtenberg Britt
 Conroy Hallinan Haileh Maher
 Migden Shelley

§ Ayes: Supervisors Conroy Gonzalez
 Hallinan Haileh Kennedy Maher
 Shelley

Absent: Supervisors Alioto Gonzalez
 Kennedy

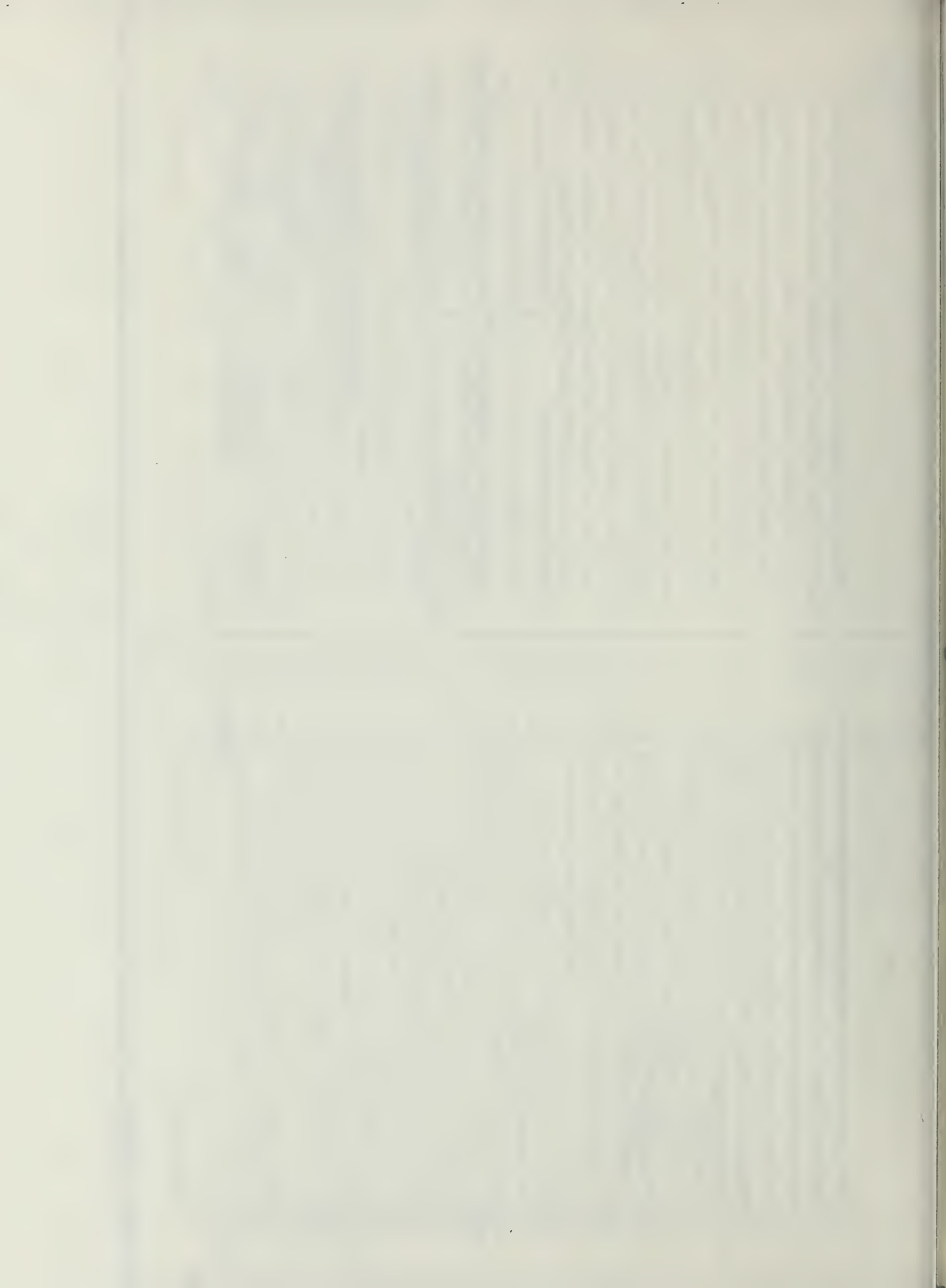
§ Absent: Supervisors Achtenberg
 Alioto Britt Migden

I hereby certify that the foregoing ordinance
 was finally passed by the Board of Supervisors
 of the City and County of San Francisco


 Acting Mayor

File No.
 97-92-37

JUL 14 1992
 Date Approved



1 [Art Commission]

2 AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION

3 16.6-45 THEREOF TO PERMIT THE REPRESENTATION OF THE CITY AND COUNTY

4 OF SAN FRANCISCO, THROUGH THE ARTS COMMISSION, IN NINE ARTS

5 ORGANIZATIONS.

6
7 Note: Additions or substitutions are underlined;
8 There are no deletions.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. The San Francisco Administrative Code is hereby

11 amended by amending Section 16.6-45 to read as follows:

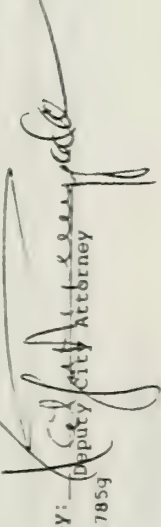
12 SEC. 16.6-45. REPRESENTATION OF CITY AND COUNTY IN CERTAIN

13 ORGANIZATIONS -- ART COMMISSION.

14 Associated Councils of the Arts.
15 Alliance of California Arts Councils.
16 American Federation for the Arts.
17 Non-Profit Gallery Association.
18 National Association of Artists Organizations
19 Apprentice Alliance.
20 International Sculpture Center.
21 National Assembly of State Arts Agencies.
22 California Association of Local Arts Agencies.
23 National Association of Local Arts Agencies.
24 Western Alliance of Arts Administrators.

25 APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: 
Deputy City Attorney

04/28/92

BOARD OF SUPERVISORS

DOCUMENTS DEPT.

JUL 30 1992

SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading

§ Finally Passed

July 6, 1992.

§ July 13, 1992

Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Heiseh
Maher Migden Shelley

§ Ayes: Supervisors Britt Conroy
Gonzalez Hallinan Heiseh Kennedy
Maher Shelley

Absent: Supervisors Alioto Kennedy

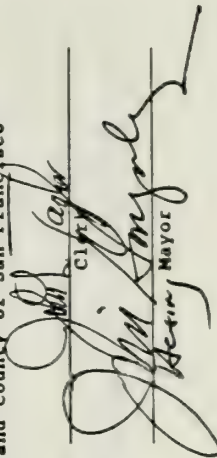
§ Absent: Supervisors Achtenberg
Alioto Migden

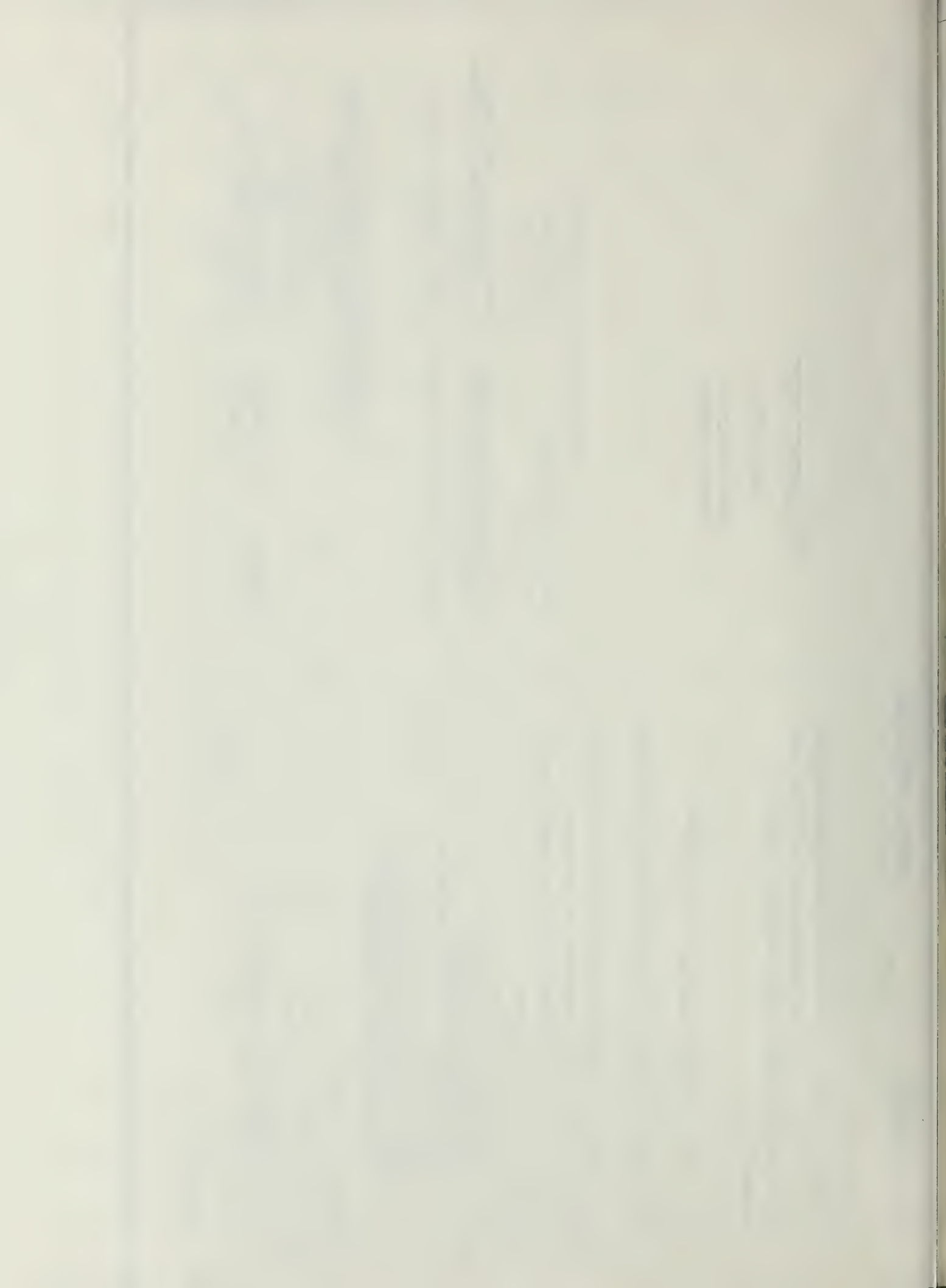
I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

File No.
97-91-60

JUL 14 1992

Date Approved


City
Mayor



(Earthquake Hazard Reduction)

AMENDING PART II, CHAPTER 1, OF THE SAN FRANCISCO MUNICIPAL CODE (BUILDING CODE) BY ADDING CHAPTERS 14 AND 15 AND REVISING CHAPTERS 2 AND 3 BY ADDING SECTION 212(c) AND AMENDING SECTION 306(a)17 THERETO RELATING TO EARTHQUAKE HAZARD REDUCTION IN UNREINFORCED MASONRY BEARING WALL BUILDINGS.

NOTE: Chapter 14 and 15 are entirely new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings. The Board of Supervisors hereby finds that:

1. The earthquake threat to San Francisco is high. In the estimation of the National Earthquake Prediction Evaluation Council, there is a 67% chance for at least one earthquake of magnitude 7 or larger in the San Francisco Bay Area between 1990 and 2020.
2. In an earthquake, the risk to life comes primarily from certain existing buildings. Collapse of these buildings would threaten human life and jeopardize the economy. UMBs are considered "the foremost threat to life" by the California Seismic Safety Commission.
3. Historically, UMBs have performed poorly in earthquakes. In the 1989 Loma Prieta Earthquake, over 860 UMBs sustained damage. In San Francisco, while UMBs comprise 2% of the building stock, they make up 10% of the red- and yellow-tagged buildings. Eight people lost their lives to falling masonry in the Bay Area.

4. The engineering firm of Rutherford & Chekene, under contract with the Department of City Planning, has estimated the probable losses attributable to UMB failure over any ten-year period. Statistically expected earthquake losses would approach half a billion dollars, 126

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fatalities, and 507 hospitalized injuries. Subsequent to an earthquake, about 232 buildings could be lost to demolition or rendered unusable for extended periods.

5. In 1987, the Bureau of Building Inspection completed an inventory identifying UMBs in San Francisco. The inventory was developed using City files in several departments, from published private-sector maps, from field observations of each building, from considerable cross-checking of initial survey data, and from information provided by building owners themselves. Such an inventory meets the mandate of Senate Bill 547 (Chapter 250 of the California Government Code).

6. The inventory lists approximately 2000 buildings. Over half of those structures were built in the six years after the 1906 earthquake. Over half are two or three stories and another third are one or four stories. Most UMBs are concentrated in the Northeastern portion of the City.

7. Approximately 800 UMBs have predominantly residential occupancy, containing 21,755 dwelling units. (13% of San Francisco's units are in multi-family buildings.) 85% of those units are found in Chinatown, Downtown, North and South of Market and in the Bush Street Corridor. 27,000 people live in these units; 40% in single room occupancy hotels. UMB residents tend to be low-income.

8. 1,171 UMBs are commercial or industrial. Over 44,000 jobs are housed in UMBs, comprising about 7.5% of total San Francisco jobs. These jobs, mostly in small businesses, are vital to San Francisco's economy.

9. UMBs are also important reminders of San Francisco's past. Forty are designated City Landmarks and most of the remaining UMBs are either contributory or significant to existing or proposed historic districts.

10. Many UMBs are gathering places: schools, houses of worship, theaters, clubs and fraternal societies. As such, they are integral to the educational, cultural and religious life of the community.

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11. UMBs are vital to San Francisco's economy. They provide low-cost housing, job sites, and irreplaceable historic and architectural resources. Yet in an earthquake they pose great danger to passersby and occupants.

12. The danger can be mitigated by structural reinforcement. The study "Seismic Retrofitting Alternatives for San Francisco's Unreinforced Masonry Buildings: Estimates of Construction Cost & Seismic Damage", by Rutherford & Chetkenc, analyzed three alternative upgrade levels and the damage prevention effects of each. The lowest level of retrofit, if applied to all UMBs, would cut by one-half expected deaths and injuries and by over one-third the expected property damage. The intermediate retrofit level would result in about one-sixth the deaths and injuries and less than one-half the damages. The most stringent retrofit alternative would result in about one-eighth the deaths and injuries and one-third the damages.

13. Retrofit designed to minimize earthquake related damage to UMBs would reduce loss of life and injury as well as prevent greater costs and hardships due to rescue, post-quake recovery, and negative economic hardships attributable to loss of housing and job sites.

14. The retrofiting of UMBs is consistent with City and State public policies. It is stressed in the State Seismic Safety Commission's 5-year Plan, "California at Risk"; further, Senate Bill 547 requires all cities and counties in Seismic Zone 4 to establish a mitigation program for potentially hazardous buildings. The Community Safety Element of the City's Master Plan, Policy 2 of Objective 1, calls for the City to "Initiate orderly abatement of hazards from existing buildings and structures". Residence Element Policy 4-2 calls for Reduc[ing] seismic hazards in unreinforced masonry buildings without reducing the supply of affordable housing. "Two of Proposition M's priority policies are furthered: "That the City's supply of affordable housing be preserved and enhanced" and "that the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake."

15. The Chief Administrative Officer chairs a Task Force on Unreinforced Masonry

Buildings which has been meeting regularly for three years to develop programs to increase the seismic resistance of UMBs. Representatives of the engineering profession, community housing development community, and lending community participate as members of the Task Force, along with representatives of the Department of Public Works, Fire Department, City Attorney's Office, Planning Department, Mayor's Office of Housing, Mayor's Office of Business and Economic Development and the Rent Stabilization Board. The Task Force is advised by a Community Advisory Committee with over 40 members which has three sub-committees: Financial, Socio-economic, and Technical. In addition, valuable guidance has been provided by the Seismic Investigation and Hazard Survey Advisory Committee and the Geotechnical Subcommittee thereof. Community meetings have been held both at City Hall and in the neighborhoods of UMB concentration.

16. Under direction of the Planning Department, an Environmental Impact Report has been prepared. Additional data and analysis were provided by the studies "Seismic Retrofitting Alternatives for San Francisco's Unreinforced Masonry Buildings: Socio-economic and Land Use Implications of Alternative Requirements" and "Earthquake Hazards and Housing".

17. On the basis of the recommendations of the Task Force, committees and subcommittees and careful review of the studies and testimony of the public, the Board of Supervisors finds the necessity of requiring structural reinforcement of all load-bearing UMBs with few exceptions.

18. Compliance with the UMB Ordinance could, in some cases, be a hardship to owners and occupants. It is necessary to balance these potential hardships with the benefits of retrofit and to offer financing assistance as available, education and training, avenues of appeal, and waiving of otherwise-triggered code compliance requirements.

19. The availability of financial assistance through a \$350 million general obligation bond issue is a mandatory element of the Unreinforced Masonry Building Seismic Retrofit Program.

20. To avoid unnecessary hardships due to a shortage of relocation housing, financing, City's ability to process upgrade jobs, or lack of qualified design or construction workers, timeline for compliance shall not be unreasonably short. To minimize public risk, however, all UMBs should be retrofitted in as short a time period as feasibility permits.

21. To further minimize public exposure, it is imperative that particularly dangerous buildings, characterized by soil conditions and density of population exposed, should be addressed first.

22. Loss of housing and historic buildings, as well as the inappropriate alternations of significant buildings, is also a concern that must be considered.

23. Efforts will be made to accommodate occupants while work is undertaken. Hardships to businesses and residential tenants as well as exposure to dust and noise could be expected when work is done with occupants in place. Mitigations, such as establishment of guidelines outlining rights and responsibilities for landlords and tenants, are recommended.

24. Findings pursuant to the California Environmental Quality Act are set forth in Resolution No. 566-92, contained in Board of Supervisors' File No. 114-92-4.1, and are incorporated herein by reference as though fully set forth.

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Section 2. Part II, Chapter 1, of the San Francisco Municipal Code (Building Code) is hereby amended by adding Chapter 14 thereto to read as follows:

Chapter 14

EARTHQUAKE HAZARD REDUCTION IN UNREINFORCED MASONRY BEARING WALL BUILDINGS

Purpose

Sec. 1401. The purpose of this chapter is to promote public safety and welfare by reducing the risk of death or injury that may result from the effects of an earthquake on existing unreinforced masonry bearing wall (UMB) buildings.

The provisions of this chapter are intended as minimum standards for structural seismic resistance for earthquake ground shaking and are established primarily to reduce the risk of life loss or injury. Compliance with these provisions will not necessarily prevent loss of life or injury, or prevent earthquake damage to rehabilitated structures or protect against the release of hazardous materials or protect the function of essential facilities. These provisions are not intended to mitigate ground failure hazards such as liquefaction. The Community Safety Element of the City's Master Plan should be consulted for areas most susceptible to ground failure.

Time limits are given for owners of UMB buildings to submit an inventory of the condition of each building and arrange for an engineering assessment and evaluation of the degree of

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1 hazard presented by the building. Priorities and time periods are established for work to be
2 completed.

3
4 Requirements for seismic strengthening of unreinforced masonry bearing wall buildings are
5 contained in Chapter 15.

6 7 Scope

8
9 Sec. 1402. The provisions of this chapter shall apply to all existing buildings having one or
10 more bearing walls of unreinforced masonry as defined in Chapter 15.

11
12 Exceptions: 1. Group R Division 1 and 3 unreinforced masonry buildings containing
13 less than five dwelling units or guest rooms and used solely for residential purposes.

14
15 2. Accessory unreinforced masonry buildings used for residential purposes on the
16 same lot as a Group R Division 1 and 3 buildings of any type of construction
17 containing less than five dwelling units or guest rooms and used solely for residential
18 purposes.

19
20 3. Buildings which have been brought into full compliance with Section 104(f).

21
22 Compliance with the provisions of Chapters 14 and 15 does not supersede the requirement
23 for compliance with Section 104(f) when required by Sections 104(b) or 502.

24
25 A permit issued solely for compliance with any of the procedures of Chapters 14 and 15 of

1 this code shall not be considered a "substantial change" or "structural work" as defined in
2 Section 104(b) and compliance with Section 104(f) will not be required.

3 4 Definitions

5
6 Sec. 1403. For the purpose of Chapters 14 and 15, certain terms are defined as follows.

7 Bolts-plus is the installation of shear and tension anchors at the roof and floors and, when
8 required, the bracing of the UMB walls upon evaluation of the height-to-thickness ratio of these
9 walls.

10 Poor soil is all soil lying bayward of the line indicating the landward limit of Bay Mud
11 deposits as shown on the U.S. Geological Survey Map MF-1376, title "Map Showing the
12 200-foot thickness contour of surficial deposits and the landward limit of Bay Mud deposits of
13 San Francisco, California," by William B. Joyner, 1982.

14 Exception: A building need not be considered as being located on poor soil when a
15 sub-surface exploration demonstrates that the site is not underlain by Bay Mud.
16 Unreinforced Masonry Building (UMB) is a building having at least one unreinforced
17 masonry bearing wall.

18 19 Compliance Requirements

20
21 Sec. 1404. (a) General. The owner of each UMB building within the scope of this chapter and
22 chapter 15 shall cause a structural analysis to be made of the building by a civil or structural
23 engineer or architect licensed by the state of California, and if the building does not meet the
24 minimum standards specified in this code, except as provided for in Chapters 14 and 15, the
25 owner shall cause the building to be structurally altered to conform to such standards or cause

the building to be demolished pursuant to the program implementation schedule set forth.

(b) **Program Implementation.** The requirements stated in paragraph (a) above shall be accomplished by submitting to the Superintendent of the Bureau of Building Inspection (BBI) the following:

1. **Inventory Form.** The owner is required to submit to BBI within one year of the service of the order specified in Section 1405(a), a properly completed BBI provided Inventory Form, signed and sealed by the owner's civil or structural engineer or architect, licensed by the State to practice as such. A failure to respond within the time frame is a violation of this code.

2. **Risk Assessment. A. General.** When filling out the required information on the inventory form, the owner's architect or civil or structural engineer shall assign to the UMB building a relative level of risk depending upon the occupancy, soil conditions at the site and the density of the population exposed.

B. Level of risk assigned.

(i) Level 1 buildings are UMB buildings containing occupancy Groups A or E, and those buildings greater than 3 stories in height which are located on poor soil.

(ii) Level 2 buildings are all non-Level 1 buildings which are located on poor soil in the Downtown, North of Market/Civic Center, South of Market, South of Market Residential and Chinatown UMB Study Areas as delineated on Figure 14-1.

(iii) Level 3 buildings are UMB buildings in the above areas which are not located on poor soil. UMB buildings located on poor soil outside the above areas are also level 3 buildings.

(iv) Level 4 buildings are all other UMB buildings.

3. **Engineering Reports.** The owner shall engage a registered civil or structural engineer or licensed architect to prepare an engineering report on the building. The engineering report shall detail applicable retrofit requirements under the General Procedure provisions of Section 1511 or the Special Procedure provisions of Section 1512, if applicable. The required retrofit measures shall be developed schematically and a conceptual construction cost estimate shall be included. If the Bolts-plus level of strengthening defined above and described in Exception 1 to Section 1509(b) is proposed, the necessary measures for compliance shall be designated and a second cost estimate for this option shall also be included in the report. The owner shall also submit a summary of the engineering report to BBI on a standardized form prepared by BBI. The summary of the report shall be completed and submitted to BBI within the time limits established in Table No. 14-A. When the engineering report demonstrates that no deficiencies exist, and the report is approved by BBI, the structure will be considered to conform to the requirements of this chapter.

Exception: An engineering report need not be prepared and a summary need not be submitted if the owner files with BBI an application for structural alterations complying with Section 302 accompanied by plans, specifications and calculations for a proposed mitigation solution that complies with either the General or Special Procedure of Chapter 15 within the time limits set by Table No. 14-A for submission of the summary of the engineering report.

4. Application for building permit. The owner shall submit to BBI an application for structural alteration per provisions of this chapter accompanied by structural plans, specifications and calculations for the proposed mitigation solution or a building permit application to demolish. Time periods for submission of the application and for permit processing and approval are established in Table No. 14-A. The timeline for submission of this application shall be triggered by the passage of a \$350 million dollar general obligation bond by the voters of San Francisco.

5. Commencement and completion of construction. Construction work shall commence and a Certificate of Final Completion and Occupancy shall be obtained within the time limits set forth in Table No. 14-A. The time limits to comply with this chapter shall run from the date the order is first served, except that the time limit to obtain a Certificate of Final Completion and Occupancy shall run from the date the building permit is first issued.

6. Transfer of title. No transfer of title shall alter the timeline compliance set forth in Table No. 14-A.

Administration

Sec. 1405. (a) Service of order. The Superintendent shall, within 6 months of the effective date of this ordinance, issue an order as provided in this section to the owner of each building within the scope of this chapter. The order shall contain a copy of the administrative provisions of Chapters 14 and 15, a commentary on these administrative provisions, a sample inventory form and an engineering report summary form. The order shall be served in accordance with Section 203(c)2 for unsafe buildings.

(b) Appeal from order. The owner or the owner's agent may appeal the Superintendent's order to the Board of Examiners in accordance with Section 204(c).

(c) Recordation. Upon receipt of the inventory form, the Superintendent shall cause to be filed with the County Recorder, an order of abatement and a copy of the inventory form. The Superintendent may cause an order of abatement to be recorded, upon expiration of the time period for submittal of the inventory form as stated in Table No. 14-A.

(d) Enforcement. Whenever an order, issued by the Superintendent, to structurally alter or demolish a UMB building, has not been complied with within the time frame set by Table No. 14-A, the Superintendent shall have the power to abate the building in accordance with Section 203(m).

(e) Removal from Inventory. After all of the retrofit work required by this chapter and Chapter 15 has been completed in any building to the satisfaction of the Superintendent, and a Certificate of Final Completion has been issued in accordance with Section 307, the Superintendent shall remove that building from the inventory list of potentially hazardous unreinforced masonry bearing wall buildings required by Section 8877(e) of the California Government Code. The Superintendent shall thereupon cause to be filed with the County Recorder a release of any order of abatement recorded under Section 1405(c).

(f) Voluntary Seismic Strengthening. If the time line for mandatory submission of the building permit application required by Section 1404(b)4 is not triggered due to the failure of the voters to pass the general obligation bond referred to in that section, the owner of any building within the scope of this chapter may voluntarily retrofit the building in accordance with

the seismic strengthening provisions set forth in Chapter 15.

(g) Application of Future Retrofitting Legislation. It is the present intent of the Board of Supervisors that, absent a compelling public safety necessity, buildings strengthened pursuant to Chapter 15 will not be subject to future mandatory seismic retrofitting legislation adopted by the Board.

Existing Utility, Fire Protection and Life-safety Systems

Sec. 1406. This chapter does not require alteration of existing electrical, plumbing, mechanical, fire protection or life-safety systems which are in compliance with the code in effect at the time of their construction or installation nor does it require compliance with the requirements of Chapter 16 of this code. This section does not exempt any building from compliance with the requirements of state or federal disability access regulations.

Energy Conservation

Sec. 1407. The provisions of California Code of Regulations, Title 24, Part 2, Chapter 53, Chapter 53A of this code (the Commercial Energy Conservation Ordinance) and Chapter 12 of the Housing Code (the Residential Energy Conservation Ordinance) are not applicable to buildings altered as required by this chapter, unless the alteration work also constitutes a change in occupancy as defined in Section 502, or an increase of the conditioned space or alterations to the lighting or mechanical systems.

///

TABLE NO. 14-A - PROGRAM IMPLEMENTATION SCHEDULE

I	II	III	IV	V	VI	VII
Hazard Level of Building	Submission of Inventory Form to BBI ¹	Submission of Summary of Engineering Report to BBI ¹	Application of Building Permit with Plans or Application for Demolition ¹	Permit Process and Approval ¹	Structural Alteration Completion within ²	Sum of Columns V and VI ¹
1	1.0	1.0	1.0 ^{3,5}	1.5 ³	2.0 ⁴	3.5
2	1.0	2.0	2.5	3.0	2.0 ⁴	5.0
3	1.0	7.0	8.0	9.0	2.0 ⁴	11.0
4	1.0	9.0	10.0	11.0	2.0 ⁴	13.0

1 All time periods are in years. Time interval is measured from the date the order is served. Time periods for columns IV, V, VI and VII shall start to run after passage of a \$350 million general obligation bond.

2 Time period in years as measured from the date the building permit is issued.

3 For hazard level 1 buildings only, a one-time extension of 6 months for the building permit may be granted by the Superintendent upon written request. In this case, permit process and approval time will increase from 1.5 years to 2 years.

4 An extension of time in increments of 6 months up to a maximum of 2 years may be approved by the Superintendent for building with pre-existing leases due to expire and for tenant relocation conditions. Such extension requests must be submitted to the Chief Building Inspector in writing prior to the expiration of the permit with payment of a fee. Any construction inspection granted under this footnote during the period of extension will require payment of an inspection fee in addition to the basic extension fee.

5 For Occupancy Group A and E structures owned by organizations exempt from taxation under the Internal Revenue laws of the United States and the Revenue and Taxation Code of the State of California as bona fide fraternal, charitable, benevolent, religious or other nonprofit organizations, extensions of time in increments of 3 years up to a maximum of 9 years may be approved by the Superintendent provided all of the following conditions are met:

1. the owner demonstrates that an application has been made for funding available under the general obligation bond or the owner is actively seeking other sources of funds and;

2. the building is vacated and secured to the Superintendent's satisfaction. For Occupancy Group A buildings only, in lieu of vacation, an owner may agree in writing to limit occupancy of the building to not more than 12 hours per week or 4 hours in any one day. Signs shall also be posted at each entrance to the building stating: "WARNING. This building is a potentially hazardous unreinforced masonry building. Occupancy during an earthquake could result in death or serious injury." The signs shall contain the same message in all of the primary languages commonly spoken by the occupants of the building. The required signs shall be not less than 30 inches by 30 inches and utilize red letters on a white background. The size and style of the text shall be such that the message is clear and legible from a distance of 10 feet to a viewer with normal vision. The signs shall be maintained in place until the building is fully strengthened to comply with Chapter 15 and;
3. when deemed necessary by the Superintendent, pedestrian protection canopies complying with Chapter 44 of this Code and Department of Public Works Order No. 157,501 are erected and maintained along sidewalks adjacent to the building and;
4. the Superintendent finds that there is no hazard to any adjacent building or that hazard is satisfactorily mitigated and;
5. the owner, for the period of time in which the extension is in effect, agrees not to file an application for a demolition permit.

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|----------|-----------------|-----------------------------|------------------------------|----------------------|---------------|-----------|-------------|------------|----------------------|----------|
| Downtown | South of Market | South of Market Residential | North of Market/Civic Center | Bush Street Corridor | Van Ness/Polk | Chinatown | North Beach | Waterfront | Mission/Upper Market | Outlying |

FIGURENO.14-1 -- UMBSTUDYAREAS

1 Section 3. Part II, Chapter 1, of the San Francisco Municipal Code (Building Code) is hereby
2 amended by adding Chapter 15 thereto to read as follows:

3
4 Chapter 15

5
6 SEISMIC STRENGTHENING PROVISIONS FOR
7 UNREINFORCED MASONRY BEARING WALL BUILDINGS

8
9 Purpose

10
11 Sec. 1501. The purpose of this chapter is that stated in Section 1401.

12
13 Scope

14
15 Sec. 1502. (a) General. The seismic strengthening of unreinforced masonry bearing wall
16 buildings shall comply with the provisions of this chapter when strengthening either is mandated
17 by Chapter 14 or is done voluntarily under Section 1405(f). The elements regulated by this
18 chapter shall be determined in accordance with Table No. 15-A. Except as provided herein,
19 other structural provisions of this code shall apply.

20
21 (b) Essential and Hazardous Facilities. The provisions of this chapter are not intended to
22 apply to the strengthening of buildings or structures in Occupancy Categories I and II of Table
23 No. 23-K. Such buildings or structures shall be strengthened to meet the requirements of this
24 code for new buildings of the same Occupancy Category or to such other criteria as has been
25 established by the Superintendent

1 (c) Unreinforced Masonry Private Schools Buildings. The strengthening of unreinforced
2 masonry private schools buildings shall comply with Sections 39160-39176 of the California
3 Education Code.

4
5 (d) Qualified Historical Buildings. Qualified Historical Buildings shall be strengthened to
6 comply with this chapter or the alternative provisions contained in Title 24 California Code of
7 Regulations, Part 8, the State Historical Building Code.

8
9 (e) Party Wall Buildings. In buildings separated by party walls, all segments sharing the party
10 walls shall be strengthened at the same time whenever possible. When such action is not
11 possible, any segment undergoing strengthening shall be provided with the capacity to resist the
12 seismic effects generated by the adjacent unstrengthened segments.

13
14 (f) Buildings of Mixed Construction. When buildings having at least one bearing wall of
15 unreinforced masonry also utilize other structural systems, the following requirements shall
16 apply:

17
18 1. When the lower stories of the building are of unreinforced masonry and the upper stories
19 are of wood frame or steel stud construction, the unreinforced masonry stories shall be
20 strengthened to meet the requirements of the General Procedure of this chapter and the other
21 stories need not be strengthened.

22
23 2. When a building is of mixed unreinforced masonry and reinforced concrete or masonry or
24 steel frame construction, the entire building shall be strengthened in accordance with a program
25 developed by the owner's architect or engineer and approved by the Superintendent but, in no

case to a standard lower than the requirements of the General Procedure of this chapter.

Definitions

Sec. 1503. For the purpose of this chapter, the applicable definitions in this code shall also apply.

COLLAR JOINT is the vertical space between adjacent wythes and may contain mortar.

CROSSWALL is a new or existing wall that meets the requirements of Section 1511(c). A crosswall is not a shear wall.

CROSSWALL SHEAR CAPACITY is the allowable shear value times the length of the crosswall, $v_u L_o$.

DIAPHRAGM EDGE is the intersection of the horizontal diaphragm and a shear wall.

DIAPHRAGM SHEAR CAPACITY is the allowable shear value times the depth of the diaphragm, $v_u D$.

ESSENTIAL FACILITY is any building or structure classified in Occupancy Category I of Table No. 23-K.

HAZARDOUS FACILITY is any building or structure classified in Occupancy Category II of Table No. 23-K.

NORMAL WALL is a wall perpendicular to the direction of seismic forces.

OPEN FRONT is an exterior building wall line, without vertical elements of the lateral force resisting system in one or more stories.

PARTY WALL is a wall common to two or more buildings located on separate parcels of land. **POINTING** is the partial reconstruction of the bed joints of an unreinforced masonry wall in accordance with Section 1517.

QUALIFIED HISTORICAL BUILDING is a building or structure as defined in the June 1, 1990 edition of Title 24 California Code of Regulations, Part 8, Section 8-302.

UNREINFORCED MASONRY includes burned clay, concrete or sand-lime brick, hollow clay or concrete block, plain concrete and hollow clay tile. These materials shall comply with the requirements of Section 1506.

UNREINFORCED MASONRY (URM) WALL is a masonry wall in which the area of reinforcing steel in each direction is less than 25 percent of the minimum steel ratios required by this code for reinforced masonry. To qualify, reinforcing steel must have been installed in grouted cells within the masonry.

UNREINFORCED MASONRY BEARING WALL is a URM wall which provides the vertical support for a floor or roof for which the total superimposed load exceeds 200 pounds per linear foot of wall.

YIELD STORY DRIFT is the lateral displacement of one level relative to the level above or below at which yield stress is first developed in a frame member.

Symbols and Notations

Sec. 1504. For the purpose of this chapter, the applicable symbols and notations in this code shall apply.

A = cross sectional area of unreinforced masonry pier or wall, square inches.

A_b = total area of the bed joints above and below the test specimen for each in-plane shear test.

C_p = numerical coefficient as specified in Section 2312(g)2 and given in Table No. 23-P and Table No. 15-C.

D = in-plane width dimension of pier, inches, or depth of diaphragm, feet.

1	DCR	=	demand-capacity ratio specified in Section 1511(d)2.
2	F_{wx}	=	force applied to a wall at level x , pounds.
3	H	=	least clear height of opening on either side of a pier, inches.
4	h/t	=	height-to-thickness ratio of a URM wall. Height, h , is measured between wall anchorage levels and/or slab-on-grade.
5	L	=	span of diaphragm between shear walls, or span between shear wall and open front, feet.
6	L_o	=	length of cross wall, feet.
7	L_i	=	effective span for an open front building specified in Section 1511(h), feet.
8	P_D	=	superimposed dead load at the location under consideration, pounds. For determination of the rocking shear capacity, dead load at the top of the pier under consideration shall be used.
9	P_{D+L}	=	stress resulting from the dead plus actual live load in place at the time of testing, pounds per square inch (psi).
10	P_w	=	weight of wall, pounds.
11	V_a	=	$v_a A$, the allowable shear in any URM pier, pounds.
12	V_{ca}	=	total shear capacity of crosswalls in the direction of analysis immediately above the diaphragm level being investigated, $\Sigma v_c L_o$, pounds.
13	V_{cb}	=	total shear capacity of crosswalls in the direction of analysis immediately below the diaphragm level being investigated, $\Sigma v_c L_o$, pounds.
14	V_p	=	shear force assigned to a pier on the basis of its relative shear rigidity, pounds.
15	V_r	=	pier rocking shear capacity of any URM wall or wall pier, pounds.
16	V_s	=	shear force assigned to a spandrel on the basis of the shear forces in adjacent wall piers and tributary dead plus live loads, pounds.
17	V_{test}	=	load at incipient cracking for each in-place shear test per Section 1515, pounds.

1	V_{wx}	=	total shear force resisted by a shear wall at the level under consideration, pounds.
2	v_a	=	allowable shear stress for unreinforced masonry, pounds per square inch (psi).
3	v_c	=	allowable shear value for a crosswall sheathed with any of the materials given in Table No. 15-D or 15-E, pounds per foot.
4	v_i	=	mortar shear strength as specified in Section 1506(c)3D, pound per square inch (psi).
5	v_{io}	=	mortar shear test values as specified in Section 1506(c)3D, pounds per square inch (psi).
6	v_u	=	allowable shear value for a diaphragm sheathed with any of the materials given in Table No. 15-D or 15-E, pounds per foot.
7	$\Sigma v_c D$	=	sum of diaphragm shear capacities of both ends of the diaphragm, pounds.
8	$\Sigma \Sigma v_c D$	=	for diaphragms coupled with cross walls, $\Sigma \Sigma v_c D$ includes the sum of shear capacities of both ends of diaphragms coupled at and above the level under consideration.
9	W	=	Total seismic dead load as defined in Chapter 23, pounds.
10	W_d	=	total dead load tributary to a diaphragm, pounds.
11	ΣW_d	=	total dead load to all the diaphragms at and above the level under consideration, pounds.
12	W_w	=	total dead load of an unreinforced masonry wall above the level under consideration or above an open front building, pounds.
13	W_{wx}	=	dead load of a URM wall assigned to Level x halfway above and below the level under consideration, pounds.
14	Z	=	seismic zone factor given in Table No. 23-1.
15	///		
16	///		

1 **General Requirements**

2
3 **Sec. 1505. (a) General.** All buildings shall have a seismic resisting system conforming with
4 Section 2303(b), except as modified by this chapter.

5
6 **(b) Alterations and Repairs.** Alterations and repairs required to meet the provisions of this
7 chapter shall comply with all other applicable structural requirements of this code unless
8 specifically provided for in this chapter.

9
10 **(c) Requirements for Plans.** In addition to the requirements of Section 302(d) of this code,
11 the following construction information shall be included in the plans required by this chapter:

12
13 1. Dimensioned floor and roof plans showing existing walls and the size and spacing of floor
14 and roof framing members and sheathing materials. The plans shall indicate all existing and
15 new crosswalls and shear walls and their materials of construction. The location of these walls
16 and their openings shall be fully dimensioned and drawn to scale on the plans.

17
18 2. Dimensioned wall elevations showing openings, piers, wall classes as defined in Section
19 1506(c)3F, thickness, heights, wall shear test locations, and cracks or damaged portions
20 requiring repairs. Where the exterior face is veneer, the type of veneer, its thickness and its
21 bonding and/or ties to the structural wall masonry shall also be noted.

22 3. The type of interior wall and ceiling materials and framing.

23
24 4. The extent and type of existing wall anchorage to floors and roof when used in the design.

1 5. The extent and type of parapet corrections which were previously performed, if any.

2
3 6. Repair details, if any, of cracked or damaged unreinforced masonry walls required to resist
4 forces specified in this chapter.

5
6 7. All other plans, sections and details necessary to delineate required retrofit construction.

7
8 8. The design procedure used shall be stated on both the plans and the permit application.

9
10 9. Details of the anchor prequalification program required by Section 1516, if utilized,
11 including location and results of all tests.

12
13 10. In buildings with party walls, the details of construction on both sides of each party wall
14 shall be shown. Where required by Section 1511(a)5 the owners' consent statements shall be
15 included with the plans.

16
17 **Materials Requirements**

18
19 **Sec. 1506. (a) General.** All materials permitted by this chapter, including their appropriate
20 allowable design values and those existing configurations of materials specified herein, may be
21 utilized to meet the requirements of this chapter.

22
23 **(b) Existing Materials.** All existing materials utilized as part of the required vertical load-
24 carrying or lateral force-resisting system shall be in sound condition or shall be repaired or
25 removed and replaced with new materials. All unreinforced masonry materials shall comply

with the following requirements:

1. The construction (lay-up) of the masonry units complies with Section 1506(c)2 and the quality of bond between the units has been verified to the satisfaction of the Superintendent and,

2. Concrete masonry units are verified to be load-bearing units complying with U.B.C. Standard 24-4 or such other standard as is acceptable to the Superintendent.

3. Hollow clay tile units are verified to be structural load-bearing units complying with ASTM Standard Specification C 34 or such other standard as is acceptable to the Superintendent.

4. The compressive strength of plain concrete walls shall be determined based on cores taken from each class of concrete wall. The location and number of tests shall be the same as prescribed for strength tests in Section 1506(c)3B and C.

(c) Existing Unreinforced Masonry. 1. General. All unreinforced masonry walls utilized to carry vertical loads or seismic forces parallel and perpendicular to the wall plane shall be tested as specified in this subsection. All masonry that does not meet the minimum standards established by this chapter shall be removed and replaced with new materials, repaired or alternatively shall have its structural functions replaced with new materials and shall be anchored to supporting elements.

2. Construction (Lay-up) of walls. A. Multiwythe solid brick. The facing and backing shall be bonded so that not less than 10 percent of the exposed face area is composed of solid headers extending not less than 4 inches into the backing. The clear distance between adjacent

full-length headers shall not exceed 24 inches vertically or horizontally. Where the backing consists of two or more wythes, the headers shall extend not less than 4 inches into the most distant wythe or the backing wythes shall be bonded together with separate headers whose area and spacing conform to the foregoing. Wythes of walls not bonded as described above shall be considered as veneer. Veneer wythes shall not be included in the effective thickness used in calculating the height to thickness and the shear capacity of the wall.

B. Grouted or ungrouted hollow concrete or clay block and structural hollow clay tile. These materials shall be laid in a running bond pattern.

Other lay-up patterns may be acceptable if their performance can be justified as being at least equal to those specified above.

3. Mortar. A. Tests. The quality of mortar in all masonry walls shall be determined by performing in-place shear tests in accordance with Section 1515. Alternative methods of testing may be approved by the Superintendent for masonry walls other than brick.

B. Location of tests. The shear tests shall be taken at locations representative of the mortar conditions throughout the entire building, taking into account variations in workmanship at different building height levels, variations in weathering of the exterior surfaces, and variations in the condition of the interior surfaces due to deterioration caused by leaks and condensation of water and/or by the deleterious effects of other substances contained within the building. The exact test locations shall be determined at the building site by the engineer or architect in responsible charge of the structural design work. An accurate record of all such tests and their location in the building shall be recorded and these results shall be submitted to the building

department for approval as part of the structural analysis.

C. Number of Tests. The minimum number of tests per class shall be as follows:

(i) At each of both the first and top stories, not less than two tests per wall or line of wall elements providing a common line of resistance to lateral forces.

(ii) At each of all other stories, not less than one test per wall or line of wall elements providing a common line of resistance to lateral forces.

(iii) In any case, not less than one test per 1500 square feet of wall surface nor less than a total of eight tests.

D. Minimum quality of mortar. (i) Mortar shear test values, V_{m} in psi shall be obtained for each in-place shear test in accordance with the following equation:

$$V_{\text{m}} = (V_{\text{test}} / A_d) \cdot P_{D+L} \dots\dots\dots (15-1)$$

(ii) The mortar shear strength, V_r is the value in psi that, after discarding the lowest 20 percent of the mortar shear test values, V_{m} is the lowest of the remaining 80 percent of the mortar shear test values.

(iii) Any unreinforced masonry wall with V_{m} or with mortar shear strength, V_r less than 30 psi shall be either removed, entirely pointed and re-tested or have its structural function replaced and shall be anchored to supporting elements in accordance with Section 1506(c)1 and Section

1513(h). When existing mortar in any wythe is pointed to increase its shear strength and retested, the condition of the mortar in the adjacent bed joints of the inner wythe or wythes and the opposite outer wythe shall be examined for extent of deterioration. The shear strength of any wall class shall be no greater than that of the weakest wythe of that class.

E. Collar joints. The collar joints shall be inspected at the test locations during each in-place shear test, and estimates of the percentage of the surfaces of adjacent wythes which are covered with mortar shall be reported along with the results of the in-place shear tests.

F. Unreinforced masonry classes. All existing unreinforced masonry shall be categorized into one or more classes based on quality of construction, state of repair, deterioration and weathering. A class shall be characterized by the allowable masonry shear stress determined in accordance with Section 1508(b). Classes shall be defined for whole walls, not for small areas of masonry within a wall.

G. Pointing. All deteriorated mortar joints in unreinforced masonry walls shall be pointed according to Section 1517. Nothing shall prevent pointing of any deteriorated masonry wall joints before the tests are made, except as required in Section 1507(a).

Quality Control

Sec. 1507. (a) Pointing. All preparation and mortar pointing shall be performed with special inspection.

Exception: At the discretion of the Superintendent, incidental pointing may be performed without special inspection.

(b) Masonry Shear Tests. In-place shear tests shall comply with Section 1515.

(c) Existing Wall Anchors. Existing wall anchors utilized as all or part of the required tension anchors shall be tested in pullout according to Section 1516. The minimum number of anchors tested shall be four per floor, with two tests at walls with joists framing into the wall and two tests at walls with joists parallel to the wall, but not less than 10 percent of the total number of existing tension anchors at each level.

(d) New Bolts. One-fourth of all new shear bolts and combined tension and shear bolts in unreinforced masonry walls shall be tested according to Section 1516.

Exception: The number of bolts tested may be reduced to 10 percent when special inspection in accordance with Section 306 is provided during installation.

All embedded tension bolts shall be subject to periodic special inspection in accordance with Section 306 prior to placement of the bolt and grout in the drilled hole.

Allowable Design Values

Sec. 1508. (a) Allowable Values. 1. Allowable values for existing materials are given in Table No. 15-D, and for new materials in Table No. 15-E.

2. Allowable values not specified in this chapter shall be as specified elsewhere in this code.

(b) Masonry Shear. The allowable unreinforced masonry shear stress, v_a , shall be determined

for each masonry class from the following equation:

$$v_a = 0.1v_i + 0.15P_D / A \quad (15-2)$$

The mortar shear test value, v_i , shall be determined in accordance with Section 1506(c)3, and shall not exceed 100 psi for the determination of v_a .

The one-third increase in allowable values of this code for short term loading is not allowed for v_a .

(c) Masonry Compression. Where any increase in dead plus live compression stress occurs, the allowable compression stress in unreinforced masonry shall not exceed 100 psi. The one-third increase in allowable stress of this code is allowed.

(d) Masonry Tension. Unreinforced masonry shall be assumed as having no tensile capacity.

(e) Unreinforced masonry materials other than solid brick. The provisions of this chapter are primarily intended for brick construction but are also applicable to other unreinforced masonry materials when the following conditions are satisfied:

1. The building does not exceed two stories in height,

2. In the case of hollow concrete and clay block, the shear stress is limited to that permitted by Equations 15-1 and 15-2 based on the net area in contact through the bed joints but not more than that calculated using a mortar shear strength, v_r , of 100 psi.

3. In the case of plain concrete, the compressive strength (f'_c) shall be not less than 900 psi and the allowable shear strength is limited to not more than $0.02f'_c$.

4. In the case of all other unreinforced masonry materials, the shear stress is limited to 3 psi based on the net area in contact through the bed joint.

Unreinforced masonry not meeting the above criteria shall have its structural function replaced and shall be resupported, if required, in accordance with Section 1513(h).

(f) Existing Tension Anchors. The allowable resistance values of the existing anchors shall be 40 percent of the average of the tension tests of existing anchors having the same wall thickness and joist orientation. The one-third increase in allowable value of this code is not allowed for existing tension anchors.

(g) Foundations. For existing foundations new total dead loads may be increased over existing dead load by 25 percent. New total dead load plus live load plus seismic forces may be increased over existing dead load plus live load by 50 percent.

Exception: In buildings located in poor soil areas as defined in Chapter 14, any increase in dead load shall require an evaluation of the existing foundation system.

Higher values may be justified only in conjunction with a geotechnical investigation.

///
///
///

Selection of Procedure

Sec. 1509. (a) General. Except as modified herein, the analysis and design relating to the structural alteration of existing buildings shall be in accordance with this code.

(b) Selection of Procedure. All buildings shall be analyzed by either the General Procedure of Section 1510 or, when applicable, buildings may be analyzed by the Special Procedure of Section 1511.

Exceptions: 1. A building may be strengthened to the Bolt-plus level by complying only with the requirements for wall anchorage (tension bolts), diaphragm shear transfer (shear bolts) and out-of-plane wall and parapet bracing provided the entire building complies with all of the following requirements:

A. The building does not have any vertical irregularities of Types A (Soft Story), D (In-plane Discontinuity) or E (Weak Story) as defined in Table No. 23-M or horizontal irregularities of Types C (Diaphragm Discontinuity) or D (Out-of-plane Offset) as defined in Table No. 23-N or those irregularities are corrected.

B. The building does not contain any Group A, Division 1, 2, 2.1 occupancies, or Group E, Group I or Group H, Division 1, 2, 6 or 7 occupancies.

C. The building has a mortar shear strength, v_m , as determined by Section 1506(c)3, of 30 psi or more for all masonry classes.

///

D. The building has wood or plywood diaphragms at all levels above the base of building.

E. The building contains a maximum of six stories above the base of the building. The base shall be the ground level and basement or basements shall be excluded from the story count.

F. The building has or will be provided with crosswalls as defined in Section 1511(c) at a spacing that does not exceed 40 feet on center. Crosswalls shall be provided in all stories and Exceptions 1 and 2 to Section 1511(c)1 shall not apply. Any story which does not have or is not provided with complying crosswalls and all stories below that story shall be analyzed using the General Procedure of Section 1510 or, where applicable, the Special Procedure of Section 1511. The floor structure that separates the Bolts-plus and General or Special Procedure stories shall be investigated for its adequacy to act as a diaphragm in accordance with Section 1510(a) or, where the Special Procedure is applicable, Section 1511(d).

G. Except for a single story building with an open front on one side only, the building has or will be provided with a minimum of two lines of vertical elements of the lateral force resisting system parallel to each axis. Existing masonry walls shall have wall piers with a height to width ratio that does not exceed 2 to 1 and shall occupy not less than 40 percent of the wall's length in order to be considered as providing a line of resistance. Existing moment frames and other lines of resistance added or altered to comply with this requirement shall fully comply with Section 1512. At least one line in each direction shall be a masonry or concrete shear wall.

H. In buildings containing one or more party walls, the Bolts-plus Procedure shall not be used unless each building sharing a party wall individually complies with all of the limitations set forth above and the owner of each such building consents to the use of the procedure in writing.

When the Bolts-plus Procedure is applicable, the forces to be used for diaphragm shear transfer and irregularity correction shall be those specified in Sections 1511(e) and (f) and h/t ratios shall be evaluated in accordance with Section 1511(g). When the intersection of the diaphragm span and demand capacity ratio falls outside the three regions of Figure No. 15-1, the h/t ratios for "all other buildings" in Table No. 15-B shall be used. The measures used to comply shall be part of, and be coordinated with, the complete strengthening scheme described in the engineering report required by Section 1404(b)3.

2. Buildings which are strengthened to conform to the requirements of Section 104(f) of this code or any previous edition of this code are exempt from compliance with the provisions of this chapter.

General Procedure

Sec 1510. (a) Minimum design lateral forces. Buildings shall be analyzed to resist minimum lateral forces assumed to act nonconcurrently in the direction of each of the main axes of the structure in accordance with the following:

///

///

1 $V = 0.10 W$ (15-3)

2

3 **Exception:** The lateral forces need not exceed those prescribed by Section 2313(c).

4

5 For buildings more than one story in height, the total force shall be distributed over the height

6 of the building in accordance with the procedures of Chapter 23.

7

8 For the purpose of this chapter, a dynamic analysis need not be performed for those buildings

9 with irregularities, as defined in Table No. 23-M and Table No. 23-N which would otherwise

10 require such analysis. All other design and analysis requirements of those tables shall apply.

11 (b) Lateral forces on elements of structures. Parts of structures shall be analyzed and

12 designed as required in Chapter 23.

13

14 **Exceptions:** 1. Unreinforced masonry walls for which height to thickness ratios do not

15 exceed ratios set forth in Table No. 15-B need not be analyzed for out-of-plane loading.

16 Unreinforced masonry walls which exceed the allowable h/t ratios of Table No. 15-B

17 shall be braced according to Section 1513(e).

18

19 2. Parapets complying with Section 1513(f) need not be analyzed for out-of-plane

20 loading.

21

22 (c) Shear walls (in-plane loading). Shear walls shall comply with Section 1512.

23 ///

24 ///

25 ///

1 **Special Procedure**

2

3 **Sec. 1511. (a) Limits for application.** The Special Procedure of this section may only be

4 applied to buildings with the following characteristics:

5

6 1. The building is not an Essential or Hazardous Facility.

7

8 2. Wood or plywood diaphragms at all levels above the base of structure.

9

10 3. A maximum of six (6) stories above the base of the building. The base shall be the ground

11 level and basement or basements shall be excluded from the story count.

12

13 4. Except for single story buildings with an open front on one side only, a minimum of two

14 lines of vertical elements of the lateral force resisting system complying with Section 1512

15 parallel to each axis. At least one line in each direction shall be a masonry or concrete shear

16 wall. Requirements for open front buildings are contained in Section 1511(h).

17

18 5. In buildings containing one or more party walls, the Special Procedure shall not be used

19 unless each building sharing a party wall individually complies with all of the limitations set

20 forth above and the owner of each such building consents to the use of the procedure in

21 writing.

22

23 (b) Lateral forces on elements of structures. With the exception of the diaphragm provisions

24 in Section 1511(d), elements of structures shall comply with Section 1510(b).

1 (c) Crosswalls. Crosswalls when used shall meet the requirements of this subsection.

2
3 1. Crosswall definition. A crosswall is a wood-framed wall sheathed with any of the materials
4 described in Table No. 15-D or 15-E or other system as defined in Section 1511(c)5. Spacing
5 of crosswalls shall not exceed 40 feet on center measured perpendicular to the direction of
6 consideration, and shall be placed in each story of the building. Crosswalls shall extend the full
7 story height between diaphragms.

8
9 Exceptions: 1. Crosswalls need not be provided at all levels in accordance with Section
10 1511(d)2D.

11 2. Existing crosswalls need not be continuous below a wood diaphragm at or within 4
12 feet of grade provided:

13
14 (i) Shear connections and anchorage requirements, Section 1511(e) are satisfied at all
15 edges of the diaphragm.

16
17 (ii) Crosswalls with total shear capacity of $0.20\Sigma W_d$ interconnect the diaphragm to the
18 foundation.

19 (iii) The demand/capacity ratio of the diaphragm between the crosswalls that are
20 continuous to their foundations shall be calculated as:

21
$$DCR = (0.83ZW_d + V_{ca}) / 2V_d \dots\dots\dots (15-4)$$

22 and DCR shall not exceed 2.5.

23
24
25 ///

1 2. Crosswall shear capacity. Within any 40 feet measured along the span of the diaphragm,
2 the sum of the crosswall shear capacities shall be at least 30 percent of the diaphragm shear
3 capacity of the strongest diaphragm at or above the level under consideration.

4
5 3. Existing crosswalls. Existing crosswalls shall have a maximum height-to-length ratio
6 between openings of 1.5 to 1. Existing crosswall connections to diaphragms need not be
7 investigated as long as the crosswall extends to the framing of the diaphragm above and below.

8
9 4. New crosswalls. New crosswall connections to the diaphragm shall develop the crosswall
10 shear capacity. New crosswalls shall have the capacity to resist an overturning moment equal
11 to the crosswall shear capacity times the story height. Crosswall overturning moments need not
12 be cumulative over more than two stories.

13
14 5. Other crosswall systems. Other systems, such as moment resisting frames, may be used as
15 crosswalls provided that the yield story drift does not exceed one inch in any story.

16
17 (d) Wood diaphragms. 1. Acceptable diaphragm span. A diaphragm is acceptable if the point
18 (L, DCR) on Figure No. 15-1 falls within Regions 1, 2 or 3.

19 2. Demand-capacity ratios. Demand-capacity ratios shall be calculated for the diaphragm at
20 any level according to the following formulas:

21 A. For a diaphragm without qualifying crosswalls at levels immediately above or below:

22
$$DCR = 0.83ZW_d / \Sigma V_d \dots\dots\dots (15-5)$$

23
24
25 ///

1 B. For a diaphragm in a single-story building with qualifying crosswalls:

2
3 $DCR = 0.832W_d / (\sum v_d D + V_{cd})$ (15-6)

4
5 C. For diaphragms in a multi-story building with qualifying crosswalls in all levels:

6
7 $DCR = 0.832\sum W_d / (\sum \sum v_d D + V_{cd})$ (15-7)

8
9 DCR shall be calculated at each level for the set of diaphragms at and above the level under
10 consideration. In addition, the roof diaphragm shall also meet the requirements of Formula
11 (15-6).

12
13 D. For a roof diaphragm and the diaphragm directly below it coupled by crosswalls:

14
15 $DCR = 0.832\sum W_d / \sum \sum v_d D$ (15-8)

16
17 3. Chords. An analysis for diaphragm flexure need not be made and chords need not be
18 provided.

19
20 4. Collectors. An analysis of diaphragm collector forces shall be made for the transfer of
21 diaphragm edge shears into vertical elements of the lateral force resisting system. Collector
22 forces may be resisted by new or existing elements.

23
24 5. Diaphragm openings. A. Diaphragm forces at corners of openings shall be investigated and
25 shall be developed into the diaphragm by new or existing materials.

1 B. In addition to the demand-capacity ratios of Section 1511(d)2, the demand-capacity ratio
2 of the portion of the diaphragm adjacent to an opening shall be calculated using the opening
3 dimension as the span.

4
5 C. Where an opening occurs in the end quarter of the diaphragm span, $v_d D$ for the demand-
6 capacity ratio calculation shall be based on the net depth of the diaphragm.

7
8 (e) Diaphragm shear transfer. Diaphragms shall be connected to shear walls with
9 connections capable of developing a minimum force given by the lesser of the following
10 formulas:

11
12 $V = 1/2 \sum C_p W_d$ (15-9)

13
14 using the C_p values in Table No. 15-C, or

15
16 $V = v_d D$ (15-10)

17
18 (f) Shear walls (in-plane loading). 1. Wall story force. The wall story force distributed to a
19 shear wall at any diaphragm level shall be the lesser value calculated as:

20
21 A. For buildings without crosswalls,

22
23 $F_{wx} = 0.33Z(W_{wx} + W_d / 2)$ (15-11)

24
25 but need not exceed

$$F_{wx} = 0.33ZW_{wx} + v_d D \quad (15-12)$$

B. For buildings with crosswalls in all levels:

$$F_{wx} = 0.25Z(W_{wx} + W_d / 2) \quad (15-13)$$

but need not exceed

$$F_{wx} = 0.25Z [W_{wx} + \Sigma W_d (v_d D / \Sigma v_d D)] \quad (15-14)$$

and need not exceed

$$F_{wx} = 0.25ZW_{wx} + v_d D \quad (15-15)$$

2. Wall story shear. The wall story shear shall be the sum of the wall story forces at and above the level of consideration.

$$V_{wx} = \Sigma F_{wx} \quad (15-16)$$

3. Shear wall analysis. Shear walls shall comply with Section 1512.

4. Moment frames. Moment frames used in place of shear walls shall be designed as required in Chapter 23 except that the forces shall be as specified in Section 1511(f)1 and the story drift ratio shall be limited to 0.005, except as further limited by Section 1512(d)2.

(g) Out-of-plane forces - unreinforced masonry walls. 1. Allowable unreinforced masonry wall height-to-thickness ratios. The provisions of Section 1510(b) are applicable except the allowable height-to-thickness ratios given in Table No. 15-C shall be determined from Figure No. 15-1 as follows:

A. In Region 1, height-to-thickness ratios for buildings with crosswalls may be used if qualifying crosswalls are present in all stories.

B. In Region 2, height-to-thickness ratios for buildings with crosswalls may be used whether or not qualifying crosswalls are present.

C. In Region 3, height-to-thickness ratios for "all other buildings" shall be used whether or not qualifying crosswalls are present.

2. Walls with diaphragms in different regions. When diaphragms above and below the wall under consideration have demand-capacity ratios in different regions of Figure No. 15-1, the lesser height-to-thickness ratio shall be used.

(h) Open Front Design Procedure. A single story building with an open front on one side and crosswalls parallel to the open front and may be designed by the following procedure:

1. Effective diaphragm span, L_1 , for use in Figure No. 15-1 shall be determined in accordance with the following formula:

$$L_1 = 2 [(W_w / W_d)L + L] \quad (15-17)$$

2. Diaphragm demand-capacity ratio shall be calculated as:

$$DCR = 0.83Z(W_d + W_u) / [(V_u D) + V_{cd}] \quad (15-18)$$

Analysis and Design

Sec. 1512. Analysis of Vertical Elements of the Lateral Force-resisting System. (a) General.

The following requirements are applicable to both the General Procedure and Special Procedure.

(b) Existing unreinforced masonry walls. 1. Flexural rigidity. Flexural components of deflection may be neglected in determining the rigidity of an unreinforced masonry wall.

2. Shear walls with openings. Wall piers shall be analyzed according to the following procedure which is diagrammed in Figure No. 15-2:

A. For any pier,

(i) The pier shear capacity shall be calculated as:

$$V_a = v_a A \quad (15-19)$$

(ii) The pier rocking shear capacity shall be calculated as:

$$V_r = 0.3 P_u D / H \quad (15-20)$$

B. The wall piers at any level are acceptable if they comply with one of the following modes of behavior:

(i) Rocking controlled mode. When the pier rocking shear capacity is less than the pier shear capacity, i.e. $V_r < V_a$ for each pier in a level, forces in the wall at that level, V_{wx} shall be distributed to each pier in proportion to $P_u D / H$.

For the wall at that level:

$$V_{wx} < \Sigma V_r \quad (15-21)$$

(ii) Shear controlled mode. Where the pier shear capacity is less than the pier rocking capacity, i.e. $V_a < V_r$ in at least one pier in a level, forces in the wall at the level, V_{wx} shall be distributed to each pier in proportion to D/H .

For each pier at that level:

$$V_p < V_a \quad (15-22)$$

and

$$V_p < V_r \quad (15-23)$$

If $V_p < V_a$ for each pier and $V_p > V_r$ for one or more piers, such piers shall be omitted from the analysis, and the procedure shall be repeated for the remaining piers, unless the wall is

strengthened and re-analyzed.

C. Masonry pier tension stress. Unreinforced masonry wall piers need not be analyzed for tension stress.

3. Shear walls without openings. Shear walls without openings shall be analyzed as for walls with openings except that V_r shall be calculated as follows:

$$V_r = (0.50P_D + 0.25P_u) D / H \dots\dots\dots (15-24)$$

(c) Plywood sheathed shear walls. Plywood sheathed shear walls may be used to resist lateral forces for buildings with wood diaphragms analyzed according to provisions of Section 1510. Plywood sheathed shear walls may not be used to share lateral forces with other materials along the same line of resistance.

(d) Combinations of vertical elements. 1. Lateral force distribution. Lateral forces shall be distributed among the designated vertical resisting elements in a line in proportion to their relative rigidities except that moment frames shall comply with Section 1512(d)2.

2. Moment-resisting frames. A moment frame shall not be used with an unreinforced masonry wall in a single line of resistance unless the wall has piers that are capable of sustaining rocking in accordance with Section 1512(b)2 and the frames are designed to carry 100 percent of the lateral forces, and the story drift ratio shall be limited to 0.0025.

(e) The shear force used in the design of any party wall shall be the sum of the shear forces

contributed by each building sharing that wall.

Detailed System Design Requirements

Sec. 1513. (a) Wall Anchorage. 1. Anchor locations. All unreinforced masonry walls shall be anchored at the roof and floor levels as required in Section 1510(b). Ceilings of plaster, gypsum board or similar heavier materials, when not attached directly to roof or floor framing, and abutting masonry walls, shall be either anchored to the walls at a maximum spacing of 6 feet or removed.

2. Anchor requirements. Anchors shall consist of bolts installed through the wall as specified in Table No. 15-E, or by an approved equivalent at a maximum anchor spacing of 6 feet. All existing wall anchors shall be secured to the joists to develop the required forces.

3. Minimum wall anchorage. Anchorage of masonry walls to each floor or roof shall resist a minimum force determined in accordance with Chapter 23 or 200 pounds per linear foot, whichever is greater, acting normal to the wall at the level of the floor or roof. Anchor spacing shall not exceed 6 feet on center. Existing through-the-wall anchors, if used, must meet the requirements of this chapter or must be upgraded.

4. Anchors at corners. At the roof and floor levels, both shear and tension anchors shall be provided within 2 feet horizontally from the inside of the corners of the walls.

5. Anchors with limited access. When access to the exterior face of the masonry wall is prevented wall anchors conforming to Item 4 b. in Table No. 15-E may be used.

6. Anchors at interior and party walls. When floor or roof framing aligns vertically at party and interior masonry walls, continuous anchors shall be utilized to directly connect the floor or roof framing on either side of the wall. Where the roof or floor framing is offset more than the least depth of any adjacent framing, the intervening wall section shall be investigated for cross wythe shear assuming that the diaphragm to wall tensions on either side of the wall are acting in opposite directions.

(b) Diaphragm shear transfer. Shear bolts shall have a maximum bolt spacing of six feet.

(c) Collectors. Collector elements shall be provided which are capable of transferring the seismic forces originating in other portions of the building to the element providing the resistance to those forces.

(d) Ties and Continuity. Ties and continuity shall conform to Section 2312(h)2E.

(e) Wall Bracing. 1. General. Where a wall height-to-thickness ratio exceeds the specified limits, the wall may be laterally supported by vertical bracing members per Section 1513(e)2 or by reducing the wall height by bracing per Section 1513(e)3.

2. Vertical bracing members. Vertical bracing members shall be attached to floor and roof construction for their design loads independently of required wall anchors. Horizontal spacing of vertical bracing members shall not exceed one-half the unsupported height of the wall nor 10 feet. Deflection of such bracing members at design loads shall not exceed one-tenth of the wall thickness.

3. Intermediate wall bracing. The wall height may be reduced by bracing elements connected to the floor or roof. Horizontal spacing of the bracing elements and wall anchors shall be as required by design but shall not exceed 6 feet on center. Bracing elements shall be detailed to minimize the horizontal displacement of the wall by the vertical displacement of the floor or roof.

(f) Parapets. Parapets and exterior wall appendages not conforming to this chapter shall be removed, or stabilized or braced to ensure that the parapets and appendages remain in their original position.

Exceptions: 1. Parapets and roof to wall tension anchors which have already been removed, stabilized or braced to comply with Section 212 of this code or Section 251 of previous codes pursuant to an application filed before the effective date of this ordinance need not be reanalyzed or restrengthened.

2. Parapets whose heights do not exceed 3 times their thicknesses need not be removed, stabilized or braced provided they are located either immediately adjacent to a normally inaccessible court or yard or another building. In the case of an adjoining building, the top of the parapet of the building under consideration shall not be more than 12 inches above the top of the parapet of the adjoining building. In order to qualify for this exception, the owner must execute an agreement with the Bureau to voluntarily abate any hazard that may arise as a result of changed conditions such as demolition of the adjacent building or development or occupancy of the adjoining court or yard. The owner must record the agreement with the County Recorder on a form satisfactory to the Bureau and supply a copy of the recorded agreement to the Bureau.

1 Parapets previously exempted that would not be exempted under Exception 2 above shall be
2 removed, or stabilized or braced when the building is strengthened.

3
4 The maximum height of an unbraced unreinforced masonry parapet above the lower of either
5 the level of tension anchors or roof sheathing, shall not exceed $1\frac{1}{2}$ times the thickness of the
6 parapet wall. If the required parapet height exceeds this maximum height, a bracing system
7 designed for the forces determined in accordance with Chapter 23 shall support the top of the
8 parapet. Parapet corrective work must be performed in conjunction with the installation of
9 tension roof anchors.

10
11 The minimum height of a parapet above any wall anchor shall be 12 inches.

12
13 Exception: If a reinforced concrete beam is provided at the top of the wall, the
14 minimum height above the wall anchor may be 6 inches.

15
16 (g) Veneer. 1. Veneer shall be anchored with approved anchor ties, conforming to the required
17 design capacity specified in this code and placed at a maximum spacing of 24 inches with a
18 maximum supported area of 4 square feet.

19
20 Exception: Existing anchor ties for attaching brick veneer to brick backing may be
21 acceptable provided the ties are in good condition and are corrugated galvanized iron
22 strips not less than 1 inch in width, 8 inches in length and $\frac{1}{16}$ inch in thickness or equal.

23
24 2. The location and condition of existing veneer anchor ties shall be verified as follows:
25 ///

1 A. An approved testing laboratory shall verify the location and spacing of the ties and shall
2 submit a report to the Superintendent for approval as part of the structural analysis.

3
4 B. The veneer in a selected area shall be removed to expose a representative sample of ties
5 (not less than four) for inspection by the Superintendent.

6
7 (h) Non-structural Masonry Walls. Unreinforced masonry walls which carry no design
8 vertical or lateral loads and are not required by the design to be part of the lateral force
9 resisting system shall be adequately anchored to new or existing supporting elements. The
10 anchors and elements shall be designed for the out-of-plane forces specified in Chapter 23.
11 The height or length to thickness ratio between such supporting elements for such walls shall
12 not exceed 13.

13
14 (i) Truss and Beam Supports. Where trusses and beams, other than rafters or joists, are
15 supported on masonry, independent secondary columns shall be installed to support vertical
16 loads of the roof or floor members.

17
18 (j) Adjacent Buildings. Where elements of adjacent buildings do not have a separation of at
19 least 5 inches, the allowable height-to-thickness ratios for "all other buildings" per Table No.
20 15-B shall be used in the direction of consideration.

21
22 Sec. 1514. Reserved.

23
24 ///

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1 **In-place Masonry Shear Tests**

2
3 **Sec. 1515. (a) Scope.** This section applies when this chapter requires in-place testing of the
4 quality of masonry mortar.

5
6 **(b) Preparation of Sample.** The bed joints of the outer wythe of the masonry shall be tested
7 in shear by laterally displacing a single brick relative to the adjacent bricks in the same wythe.
8 The head joint opposite the loaded end of the test brick shall be carefully excavated and
9 cleared. The brick adjacent to the loaded end of the test brick shall be carefully removed by
10 sawing or drilling and excavating to provide space for a hydraulic ram and steel loading blocks.

11
12 **(c) Application of Load and Determination of Results.** Steel blocks, the size of the end of the
13 brick, shall be used on each end of the ram to distribute the load to the brick. The blocks shall
14 not contact the mortar joints. The load shall be applied horizontally, in the plane of the wythe,
15 until either a crack can be seen or slip occurs. The strength of the mortar shall be calculated
16 by dividing the load at the first cracking or movement of the test brick by the nominal gross
17 area of the sum of the two bed joints.

18
19 **Tests of Anchors in Unreinforced Masonry Walls**

20
21 **Sec. 1516. (a) Scope.** Shear and tension anchors in existing masonry construction shall be tested
22 in accordance with this section when required by this chapter.

23
24 **(b) Existing Anchors.** The test apparatus shall be supported on the masonry wall. The distance
25 between the anchor and the test apparatus support shall not be less than the wall thickness.

1 Existing wall anchors shall be given a preload of 300 pounds prior to establishing a datum for
2 recording elongation. The tension test load reported shall be recorded at 1/8 inch relative
3 movement of the anchor and the adjacent masonry surface. Results of all tests shall be
4 reported. The report shall include the test results as related to the wall thickness and joint
5 orientation.

6
7 **(c) Combined Shear and Tension Bolts.** Combined shear and tension bolts embedded in
8 unreinforced masonry walls shall be tested using a torque calibrated wrench to the following
9 minimum torques:

10 1/2-inch-diameter bolts -- 40 foot-pounds.

11
12 5/8-inch-diameter bolts -- 50 foot-pounds.

13
14 3/4-inch-diameter bolts -- 60 foot-pounds.

15
16 All nuts shall be installed over malleable iron or plate washers when bearing on wood and
17 heavy cut washers when bearing on steel.

18
19 **(d) Prequalification test for bolts and other types of anchors.** The procedure set forth above
20 may be used to determine the allowable tension values for new embedded or through bolts
21 except that no preload is required. Bolts shall be installed in the same manner and using the
22 same materials as will be used in the actual construction. A minimum of 5 tests for each bolt
23 size and type shall be performed for each class of masonry in which they are proposed to be
24 used. The allowable tension value for such anchors shall be 25 percent of the average value
25

1 of the tests for each size and type of bolt and class of masonry.

2
3 Shear bolts may be similarly prequalified. The test procedure shall comply with ASTM E 488
4 or such other procedure as is approved by the Superintendent.

5
6 The allowable values determined in this manner may exceed those set forth in Table No. 15-E.

7
8 **Pointing of Unreinforced Masonry Walls**

9
10 **Sec. 1517. (a) Scope.** Pointing of deteriorated mortar joints when required by this chapter shall
11 be in accordance with this section.

12
13 **(b) Joint Preparation.** The old or deteriorated mortar should be cut out, by means of a toothing
14 chisel or nonimpact power tool, to a uniform depth of 3/4 inch until sound mortar is reached.
15 Care shall be taken not to damage the brick edges. After cutting is completed, all loose
16 material shall be removed with a brush, air or water stream.

17
18 **(c) Mortar Preparation.** The mortar mix shall be Type N or S proportions as required by the
19 construction specifications. The pointing mortar shall be prehydrated by first thoroughly mixing
20 all ingredients dry, and then mixing again, adding only enough water to produce a damp
21 unworkable mix which will retain its shape when pressed into a ball. The mortar shall be kept
22 in a damp condition for one and one-half hours; then sufficient water shall be added to bring
23 it to a proper consistency that is somewhat drier than conventional masonry mortar.

24
25 **(d) Packing.** The joint into which the mortar is to be packed shall be damp but without

1 freestanding water. The mortar shall be tightly packed into the joint in layers not exceeding 1/4
2 inch in depth until it is filled; then it shall be tooled to a smooth surface to match the original
3 profile.

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TABLE NO.15-A - ELEMENTS REGULATED BY THIS CHAPTER

Elements	Section	Procedure		
		Bolts-plus	Special	General
Masonry Shear Strength	1506(c)3	X	X	X
Diaphragms	1510(a)			X
Diaphragm Shear Transfer	1510(a)	X ¹		X
	1511(e)	X ¹	X	
	1513(b)	X	X	X
Diaphragm Capacity Ratios	1511(d)		X	
Collectors	1513(c)			X
	1511(d)4		X	
Analysis of Vertical Elements	1512		X	X
Crosswalls	1511(e)		X	
Shear Walls	1510(c)			X
	1511(f)		X	
Out of Plane Wall Anchorage	1513(a)	X	X	X
Ties & Continuity	1513(d)		X	X
Wall Bracing	1513(e)	X	X	X
Parapets	1513(f)	X	X	X
Veneer	1513(g)		X	X
Non-Structural Masonry Walls	1513(h)		X	X
Truss & Beam Supports	1513(i)		X	X
Adjacent Buildings	1513(j)		X	X

1 Diaphragm shear transfer forces shall be calculated using the General Procedure unless the building qualifies for the use of the Special Procedure.

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TABLE NO.15-B - ALLOWABLE VALUE OF HEIGHT-TO-THICKNESS RATIO OF UNREINFORCED MASONRY WALLS

WALL TYPES	SEISMIC ZONE 0, 1 & 2A BUILDINGS	SEISMIC ZONE 2B BUILDINGS	SEISMIC ZONE 3 BUILDINGS	SEISMIC ZONE 4 BUILDINGS WITH CROSSWALLS ¹	SEISMIC ZONE 4 ALL OTHER BUILDINGS
Walls of one-story buildings				16 ^{2,3}	13
First story wall of multistory buildings				16	15
Walls in top story of multistory buildings				14 ^{2,3}	9
All other walls				16	13

NOT APPLICABLE

1 Applies to the Special Procedure of Section 1511 only. See Section 1511(g) for other restrictions.

2 This value of height-to-thickness ratio may be used only where mortar shear tests establish a tested mortar shear strength, v_p , of not less than 100 psi. This value may also be used where the tested mortar strength is not less than 60 psi and a visual examination of the collar joint indicates not less than 50 percent mortar coverage.

3 Where a visual examination of the collar joint indicates not less than 50 percent mortar coverage, and the tested mortar shear strength, v_p , is greater than 30 psi but less than 60 psi, the allowable height-to-thickness ratio may be determined by linear interpolation between the larger and smaller ratios in direct proportion to the tested mortar strength.

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TABLE NO.15-C - HORIZONTAL FORCE FACTOR, C_p ¹

CONFIGURATION OF MATERIALS	C_p
Roofs with straight or diagonal sheathing and roofing applied directly to the sheathing, or floors with straight tongue-and-groove sheathing.	0.50
Diaphragms with double or multiple layers of boards with edges offset, and blocked plywood systems.	0.75

¹ Applicable to the Special Procedure of Section 1511 only.

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TABLE NO.15-D - ALLOWABLE VALUES FOR EXISTING MATERIALS

EXISTING MATERIALS OR CONFIGURATION OF MATERIALS ¹	ALLOWABLE VALUES
1. HORIZONTAL DIAPHRAGMS ²	
a. Roofs with straight sheathing and roofing applied directly to the sheathing.	100 pounds per foot seismic shear
b. Roofs with diagonal sheathing and roofing applied directly to the sheathing.	250 pounds per foot seismic shear
c. Floors with straight tongue-and-groove sheathing.	100 pounds per foot seismic shear
d. Floors with straight sheathing and finished wood flooring with board edges offset or perpendicular.	500 pounds per foot seismic shear
e. Floors with diagonal sheathing and finished wood flooring.	600 pounds per foot seismic shear
2. CROSSWALLS ^{2,3}	
a. Plaster on wood or metal lath.	per side: 200 pounds per foot seismic shear
b. Plaster on gypsum lath.	175 pounds per foot seismic shear
c. Gypsum wallboard, unblocked edges.	75 pounds per foot seismic shear
d. Gypsum wallboard, blocked edges.	125 pounds per foot seismic shear
3. EXISTING FOOTINGS, WOOD FRAMING, STRUCTURAL STEEL AND REINFORCING STEEL	
a. Plain concrete footings.	$f'_c = 1500$ psi unless otherwise shown by tests ⁴
b. Douglas fir wood.	Allowable stress same as D.F. No. 1 ⁴
c. Reinforcing steel.	$f_t = 18,000$ psi maximum ⁴
d. Structural steel.	$f_t = 20,000$ psi maximum ⁴

¹ Material must be sound and in good condition.

² A one-third increase in allowable stress is not allowed.

³ Shear values of these materials may be combined, except the total combined value shall not exceed 300 pounds per foot.

⁴ Stresses given may be increased for combinations of loads as specified in this code.

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TABLE NO.15-E - ALLOWABLE VALUES OF NEW MATERIALS USED IN CONJUNCTION WITH EXISTING CONSTRUCTION

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
NEW MATERIALS OR CONFIGURATIONS OF MATERIALS			ALLOWABLE VALUES ¹																					
1. HORIZONTAL DIAPHRAGMS ¹⁰																								
a. Plywood sheathing nailed directly over existing straight sheathing with ends of plywood sheets bearing on joists or rafters and edges of plywood located on center of individual sheathing boards.			225 pounds per foot seismic shear																					
b. Plywood sheathing nailed directly over existing diagonal sheathing with ends of plywood sheets bearing on joists or rafters.			375 pounds per foot seismic shear																					
c. Plywood sheathing nailed directly over existing straight or diagonal sheathing with ends of plywood sheets bearing on joists or rafters with edges of plywood located over new blocking and nailed to provide a minimum nail penetration into framing and blocking of 1½ inches.			75 percent of the values specified in Table No.25-J-1.																					
2. SHEAR WALLS: (GENERAL PROCEDURE)																								
Plywood sheathing applied directly over wood studs. No value shall be given to plywood applied over existing plaster or wood sheathing.			100 percent of the value specified in Table No.25-K-1 for shear walls.																					
3. CROSSWALLS: (SPECIAL PROCEDURE)																								
a. Plywood sheathing applied directly over wood studs. No value shall be given to plywood applied over existing plaster or wood sheathing.			133 percent of the value specified in Table No.25-K-1 for shear walls.																					
b. Drywall or plaster applied directly over wood studs.			100 percent of the values in Table No.47-1.																					
c. Drywall or plaster applied to sheathing over existing wood studs.			The values in Table No.47-1 reduced as noted in footnote 1 of that table. ²																					

(Continued)

TABLE NO.15-E - ALLOWABLE VALUES OF MATERIALS USED IN CONJUNCTION WITH EXISTING CONSTRUCTION (Continued)

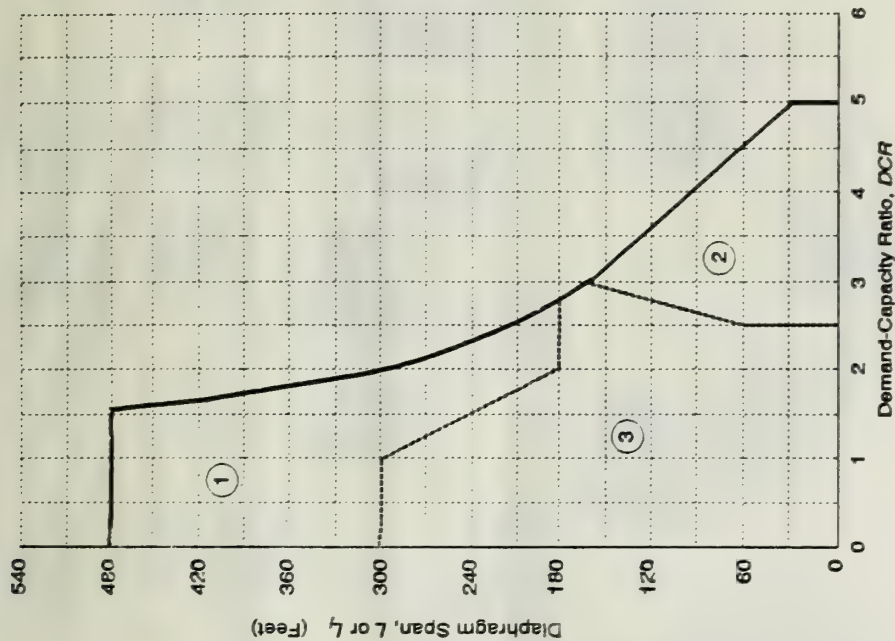
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
NEW MATERIALS OR CONFIGURATION OF MATERIALS			ALLOWABLE VALUES ¹																					
4. TENSION BOLTS																								
a. Bolts extending entirely through unreinforced masonry walls secured with bearing plates on far side of a 3 wythe minimum wall with at least 30 square inches of area. ^{3,4}			1800 pounds per bolt ⁸ 900 pounds per bolt for 2 wythe walls ⁸																					
b. Bolts extending to the exterior face of the wall with a 2½ inch round plate under the head and drilled at an angle of 22½ degrees to the horizontal, installed as specified for shear bolts. ^{3,4,5}			1200 pounds per bolt																					
5. SHEAR BOLTS																								
Bolts embedded a minimum of 8 inches into unreinforced masonry walls and centered in a 2½ inch diameter hole filled with dry-pack or nonshrink grout. Through bolts with first 8 inches as noted above and embedded bolts as noted in item 4b. ^{4,5,9}			½ inch dia. = 350 pounds ^{7,8} ¾ inch dia. = 500 pounds ^{7,8} ¾ inch dia. = 750 pounds ^{7,8}																					
6. INFILLED WALLS																								
Reinforced masonry infilled openings in existing unreinforced masonry walls. Provide keys or dowels to match reinforcing.			Same values as for unreinforced masonry walls.																					
7. REINFORCED MASONRY																								
Masonry piers and walls reinforced per Chapter 24.			Same values as specified in Section 2409. ⁶																					
8. REINFORCED CONCRETE																								
Concrete footings, walls and piers reinforced as specified in Chapter 26 and designed for tributary loads.			Same values as specified in Chapter 26. ⁶																					

¹ A one-third increase in allowable stress is not allowed, except as noted.

(Continued)

TABLE NO. 15-E - ALLOWABLE VALUES OF MATERIALS USED IN CONJUNCTION WITH EXISTING CONSTRUCTION (Continued)

- 1 In addition to existing sheathing value.
- 2 Bolts to be $\frac{1}{2}$ inch minimum in diameter.
- 3 Drilling for bolts and dowels shall be done with an electric rotary drill. Impact tools shall not be used for drilling holes or tightening anchors and shear bolt nuts.
- 4 Embedded bolts to be tested as specified in Section 1507.
- 5 Stress given may be increased for combinations of load as specified in this code.
- 6 A one-third increase in allowable stress is allowed for short term loading.
- 7 Other bolt sizes, values, and installation methods may be used provided a testing program is conducted in accordance with Section 1516. Bolt spacing shall not exceed 6 feet on center and shall not be less than 12 inches on center.
- 8 Tension and shear from seismic loads need not be assumed to act simultaneously.
- 9 Values and limitations are for nailed plywood. Higher values may be used for other fastening systems such as staples when approved by the Superintendent.



- 1 Region of demand/capacity ratios where crosswalls may be used to increase h/l ratios.
- 2 Region of demand/capacity ratios where h/l ratios of "with crosswalls" may be used.
- 3 Region of demand/capacity ratios where h/l ratios of "all other buildings" shall be used.

FIGURE NO. 15-1—ACCEPTABLE DIAPHRAGM SPAN

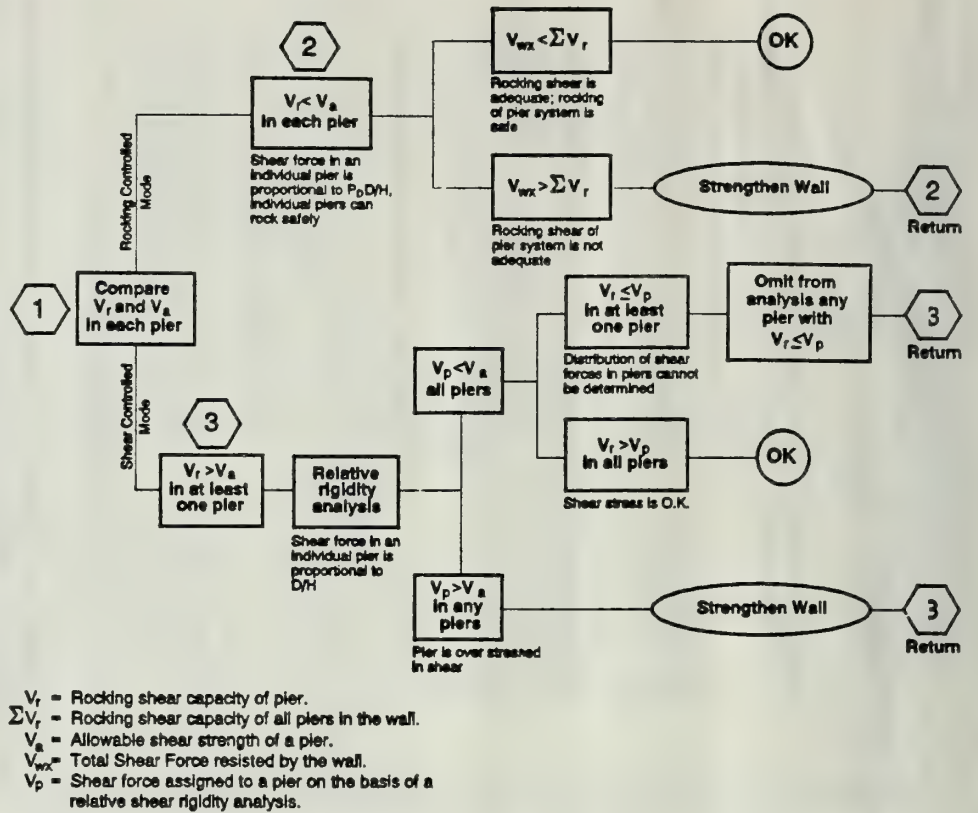


FIGURE NO. 15-2 -- ANALYSIS OF URM WALL IN-PLANE SHEAR FORCES

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Section 4. Part II, Chapter 1, of the San Francisco Municipal Code (Building Code) is hereby amended by adding a new Section 212(c) to read as follows:

(c) Unreinforced Masonry Parapets. The removal, stabilization or bracing of unreinforced masonry parapets and exterior wall appendages, the application for a permit for which was filed after the effective date of this ordinance, shall comply with Section 1513(f). Certain parapets and exterior wall appendages, previously exempted under this section, shall be removed, or stabilized, or braced when required by Section 1513(f).

///

Section 5. Part II, Chapter 1, of the San Francisco Municipal Code (Building Code) is hereby amended by adding Section 306(a)17 to read as follows:

17. RETROFIT OF UNREINFORCED MASONRY BUILDINGS: A. During the testing of mortar quality and performance of masonry shear tests in accordance with Section 1515 when required by Sections 1506(c)3 and 1507(b).

B. During repointing operations in accordance with Section 1517 when required by Sections 1506(c)3G and 1507(a).

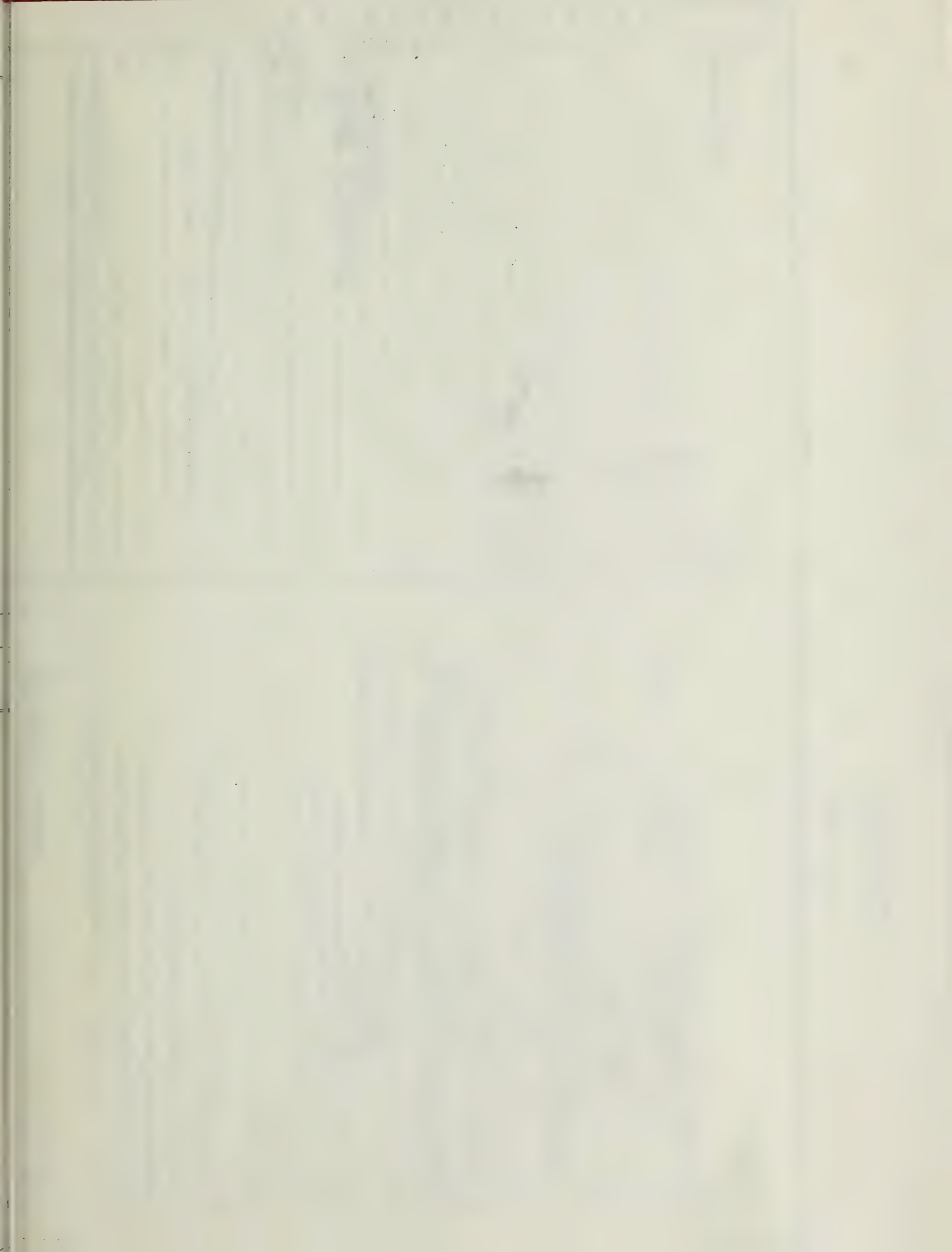
C. During the installation of new shear bolts and combined tension and shear bolts in accordance with Section 1516 when required by Section 1507(d).

D. Prior to the placement of the bolt and grout for embedded tension bolts.

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1 E. During the prequalification tests in accordance with Section 1516(c) as permitted by

2 Footnote 8 to Table No. 15-E.

3 ///

4 ///

5 ///

6
7 APPROVED AS TO FORM:

8
9 LOUISE H RENNE

10 City Attorney

11 By *Deputy City Attorney*
12
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Board of Supervisors, San Francisco

Passed for Second Reading

\$ Finally Passed

July 6, 1992

\$ July 13, 1992

Ayes: Supervisors Conroy Gonzalez
Hallinan Heide Maher Migden
Shelley

\$ Ayes: Supervisors Britt Conroy
Gonzalez Hallinan Heide Kennedy
Maher Shelley

Absent: Supervisors Achtenberg
Alloto Britt Kennedy

\$ Absent: Supervisors Achtenberg
Alloto Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

File No.
114-92-4

JUL 14 1992

Date Approved

John S. Taylor
City Clerk
John S. Taylor
Acting Mayor

1 AMENDING PART II, CHAPTER 1, OF THE SAN FRANCISCO MUNICIPAL CODE
 2 (BUILDING CODE) BY AMENDING SECTIONS 302(a) AND 303(f) THEREOF
 3 CONCERNING NOTICE REQUIREMENTS FOR DEMOLITION OR SUBSTANTIAL
 4 ALTERATION OF UNREINFORCED MASONRY BUILDINGS.

5 NOTE: Additions or substitutions are underlined;
 6 deletions are indicated by ((double parentheses)).

7 Be it ordained by the People of the City and County of San
 8 Francisco:

9 Section 1. Part II, Chapter 1, of the San Francisco
 10 Municipal Code (Building Code) is hereby amended by amending
 11 Section 302(a) to read as follows:

12 Sec. 302.(a) 1. Application. To obtain a permit, the
 13 applicant shall first file an application with the Bureau of
 14 Building Inspection on forms furnished by the Bureau. The
 15 applicant shall be the owner or the owner's authorized agent.
 16 See Section 330.1 - Building Permit Fees - for applicable fees.
 17 Every such application shall:

18 A. Identify and describe the work to be covered by the
 19 permit for which application is made.

20 B. Describe the land on which the proposed work is to be
 21 done by legal description, street address or similar description
 22 that will readily identify and definitely locate the proposed
 23 building or work.

24 C. For new buildings, indicate the use or occupancy of all
 25 parts of the building. For alteration work, indicate the

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1 proposed uses or occupancies and the most current legal uses or
 2 occupancies for all portions of the building affected by or
 3 relevant to the proposed work.

4 D. Include the name, address, and telephone number of the
 5 owner, architect, engineer and contractor. When applicable,
 6 State and City license numbers shall be indicated.

7 E. Be accompanied by plans and other documents as required
 8 in Section 302(b).

9 F. Give such other data and information as may be required
 10 by the Superintendent.

11 G. State the valuation of any new building or structure or
 12 any addition, remodeling or alteration to an existing building.

13 H. Be signed by the owner, or the owner's authorized agent,
 14 who may be required to submit evidence to indicate such authority:

15 I. Contain an agreement by the owner of the premises to
 16 save the City and its officials and employees harmless from all
 17 costs, liability and damages resulting, whether directly or
 18 indirectly, from use or occupancy of the sidewalk, street, or
 19 sub sidewalk space, or from anything in connection with the work
 20 included in the permit. The agreement shall run with the land
 21 and be binding on all of the owner's successors in title.

22 2. Incomplete Applications. The Bureau will not process an
 23 application which is not completely or properly filled out
 24 pursuant to the requirements of Sections 302(a),(b),(c) and (d).
 25 When the plans and documents submitted for processing do not

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1 contain the information required by Sections 302(a), (b), (c) and
2 (d) the application shall not be accepted.

3 3. Agent's Responsibility and Transfer of Application.

4 Anyone who files an application or obtains the permit as an
5 owner's agent shall be responsible for advising the owner of all
6 conditions attached to the application by the various approving
7 agencies. Applications are transferable without payment of fees
8 when the new party submits a letter to the Bureau agreeing to all
9 conditions of approval, stipulations and agreements contained on
10 the application.

11 An application for a permit to demolish a building or
12 structure shall not be deemed complete until the applicant
13 declares under penalty of perjury that every party who has
14 recorded interest or recorded deed of trust on the property that
15 is the subject of the application has been notified of the filing
16 of the application. See Section 332 - Demolition
17 Notice/Affidavit - for fee to defray the cost of maintaining
18 records of such declarations and other attendant costs.

19 4. Demolition Application and Notification. Upon receipt
20 of an application which would authorize the tearing down or
21 demolition of a building or structure, the Bureau shall mail
22 written notice to the owners of properties at least 300 feet in
23 every direction from the edge of the property on which the
24 proposed demolition work will take place, as shown on the last
25 equalized assessment roll, and shall provide notice to each

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1 residential tenant of the property that is the subject of the
2 application and of the property immediately adjacent to such
3 property. Said notice shall include the street address of the
4 proposed work and the name and address of the property owner and,
5 if known, of the contractor.

6 Any organization or group with an interest in architectural
7 or historical preservation or housing conservation may request
8 notification of the receipt by the Bureau of an application for a
9 demolition permit and of the issuance thereof. Such request
10 shall be in writing to the Bureau, on forms furnished by the
11 Bureau. The organization or group shall specify the area(s) of
12 the City for which notification is requested and the
13 Superintendent of the Bureau shall establish the boundaries of
14 such areas for purposes of such notification. Requests shall be
15 made annually, within 30 days after July 1 of each year. See
16 Section 332 - Notice of Demolition Permit by Area: Interested
17 Parties - for fees. Fees may be prorated by the Bureau for any
18 requests which are received at other times during the year.

19 5. Substantial Alterations Sign Posting and Affidavits. In
20 addition to any other requirements for notice set forth in this
21 code, the following shall apply:

22 Any person filing an application to substantially alter, as
23 that term is defined by the Superintendent of the Bureau of
24 Building Inspection, an apartment house or residential hotel (as
25 defined in Section 41.4(p) of the San Francisco Administrative

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Code) that contains five or more units shall post a sign at least 15 inches by 15 inches in a conspicuous common area of the apartment house or residential hotel for at least 15 days with the following information: notice that the application has been made, the nature of the work to be performed, the means of obtaining information from the Bureau of Building Inspection, and the procedure for appealing the issuance of building permits. In occupied residential unreinforced masonry buildings, required signs shall also include specified information provided by the Superintendent. The applicant shall thereafter submit an affidavit signed under penalty of perjury stating that the sign has been posted as required by this section. See Section 332 - Posting of Substantial Alteration - for fee to defray the cost of maintaining records of said affidavits. The Superintendent shall not approve the application until this affidavit is submitted. If there is reason to believe that the sign was not posted as required, the Superintendent shall investigate the matter, shall provide the applicant an opportunity to respond to any complaint of noncompliance, shall determine whether the requirements of this section have been substantially met, and shall cancel an application or revoke the permit if it is determined they have not been substantially met.

(6) Asbestos Related Work Sign Posting and Affidavits. In addition to any other requirements for notice set forth in this code, any person filing an application for a building permit to

perform work in an apartment house or a residential hotel (as defined in Section 41.4(p) of the San Francisco Administrative Code), which work includes asbestos-related work as defined in this code, shall comply with the following requirements.

A. Prior to commencement and for the duration of any asbestos-related work, post a sign readable at 20 feet at each noncontiguous location where any asbestos-related work is performed in the apartment house or residential hotel, or in any appurtenant buildings thereto and facilities supplied in connection with the use or occupancy thereof, including garage and parking facilities, stating "Danger - Asbestos, Cancer and Lung Hazard. Keep Out." Notwithstanding this requirement, if an owner or contractor of the owner subject to the requirements of California Labor Code Sections 6501.5 et seq. and regulations promulgated pursuant thereto, is in compliance with the requirements for posting locations of asbestos-related work, such owner or contractor shall be deemed to have complied with this requirement.

B. (i) Unless the requirement for plans and specifications is waived by the Superintendent of the Bureau of Building Inspection pursuant to Section 302(b), provide a notice at least seventy-two (72) hours prior to commencement of any asbestos-related work to the residential tenants in the building. The notice shall advise the residential tenants of the nature of the asbestos-related work to be performed, the date and

1 time the work is scheduled to commence, the specific location or
2 locations in the building where the work will occur, the name and
3 address of the person or firm performing the work, and the name
4 and telephone number of a person to contact on site if the
5 residential tenant has questions or concerns. The notice shall
6 be provided in one of the following ways:

7 At least seventy-two (72) hours prior to commencement and
8 for the duration of any asbestos-related work, post a notice
9 containing the required information in a conspicuous common area
10 of the apartment house or residential hotel measuring 15" by 15";
11 or

12 Mail by first-class registered mail, a notice containing the
13 required information to each person who rents or leases
14 residential space in the apartment house or residential hotel,
15 postmarked at least five (5) days plus seventy-two (72) hours
16 prior to commencement of any asbestos-related work; or

17 Personally deliver a notice containing the required
18 information to each person who rents or leases residential space
19 in the apartment house or residential hotel, at least seventy-two
20 (72) hours prior to commencement of the asbestos-related work.

21 (ii) The applicant shall thereafter submit an affidavit
22 signed under penalty of perjury stating that the notice has been
23 posted in the building or mailed or personally delivered to each
24 person who rents or leases residential space in the building.
25 See Section 332 -- Affidavit record maintenance -- for fee to

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1 defray the cost of maintaining records of said affidavits. If
2 there is reason to believe that the notice was not posted, mailed
3 or personally delivered as required, the Superintendent shall
4 investigate the matter, shall provide the applicant an
5 opportunity to respond to any complaint of noncompliance, shall
6 determine whether the requirements of this section have been
7 substantially met, and shall revoke the permit if it is
8 determined they have not been substantially met.

9 C. Notwithstanding the definitions of apartment house or
10 residential hotel (as defined in Section 41.4(p) of the San
11 Francisco Administrative Code) those terms shall not include (1)
12 any "school building" as defined in 15 U.S.C. Section 2642 as
13 that section read on January 1, 1989, (2) any "building" as
14 defined in California Health and Safety Code Section 25920, as
15 that section read on September 27, 1989; or (3) the residential
16 area of any multi-use building where the asbestos-related work is
17 to occur solely in a commercial area, the commercial and
18 residential areas of the building do not share supply air or
19 return air handling systems, and the commercial area does not
20 contain facilities supplied in connection with the use or
21 occupancy of the residential area.

22 Section 2. Part II, Chapter 1, of the San Francisco
23 Municipal Code (Building Code) is hereby amended by amending
24 Section 303(f) to read as follows:
25

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(F) Notice of Permit Issuance. Within 24 hours after the issuance of a building permit authorizing the types of work described below, notice of such issuance shall be given in the manner set forth below:

1. For permits to demolish or erect a building or structure, the permittee shall obtain from the Bureau of Building Inspection a sign containing the following information: permit number, filing date; address and phone number of the agency to contact for information regarding permit issuance; the date of permit issuance; address and phone of agency to contact to appeal issuance of permit; name, address and phone number of permittee.

For unreinforced masonry buildings additional information shall be provided, as required by the Superintendent.

See Section 332 - Posting of 30" by 30" sign - for applicable fee.

The permittee shall cause the sign to be erected on the site of the property to which the application applies.

LOCATION OF SIGN. The sign shall be clearly visible to passing motorists and passing pedestrians. The minimum dimensions shall be 30 inches by 30 inches, unless the permit relates to a vacant site or a vacant building, in which case the Superintendent may require a sign up to 8 feet wide and 4 feet high upon a determination that the larger sign will provide better public notice. If a larger sign is required, the permittee shall provide it and it shall contain the information

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set forth above. The sign required herein shall be installed as follows: The bottom edge of the sign shall be at least 6 feet above grade; the face of the sign be parallel to the main street frontage, and shall be located 5 feet or less from the street property line; the sign shall be attached to one or more posts substantially embedded into the ground in order to withstand wind or other load factors, or may be attached to an existing front building wall. The background color of the sign shall be white and the color of the text shall be black; the letter size of the first line shall be a minimum of 8 inches high; the size and style of the text shall be such that the message is clear and legible from a distance of 10 feet to a viewer with normal vision.

DURATION OF SIGN POSTING. The permittee shall cause the sign to be erected within 24 hours after a permit is issued. The sign shall remain posted until either the conclusion of the hearing on the permit before the Board of Permit Appeals or the time for filing such appeal has lapsed without an appeal being filed.

REVOCACTION FOR NONCOMPLIANCE. The Superintendent shall, after providing the permittee an opportunity to respond to any complaint of noncompliance, revoke any permit where the applicant has not substantially complied with the provisions of this section or Section 302 (a) requiring notice of permit application and issuance.

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The requirements contained herein and in Section 302(a) relating to notice are not intended to give any right to any person to challenge in any administrative or judicial proceeding any action for which notice is given if such person would not otherwise have the legal right to do so.

2. For a permit which would authorize a structural addition to an existing building, the Bureau shall mail written notice to the owners of properties immediately adjacent to the subject building as shown on the current assessment roll. See Section 332 -- Posting of Structural Addition -- for applicable fee.

3. For a permit which would authorize the tearing down or demolition of a building or structure, written notice shall be mailed to the owners of properties within 300 feet in every direction from the edge of the property on which the proposed demolition work will take place, as shown on the last equalized assessment roll. Notice to interested organizations or groups shall be made as provided in Section 302 of this code.

4. For changes in occupancy per the San Francisco Building Code, notice shall be provided as specified in Part III, Section 6 of the San Francisco Municipal Code. See Section 332 -- Posting of Notices -- for applicable fee.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

BY *David A. Boyajian*
0601 Deputy City Attorney
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Board of Supervisors, San Francisco

Passed for Second Reading

July 6, 1992.

Ayes: Supervisors Conroy Gonzalez
Hallinan Hsieh Maher Miyden
Shelley

Absent: Supervisors Achtenberg
Alloto Britt Kennedy

§ Finally Passed
§
§ July 13, 1992
§

Ayes: Supervisors Britt Conroy
Gonzalez Hallinan Hsieh Kennedy
Maher Shelley

§ Absent: Supervisors Achtenberg
Alloto Miyden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

File No.
114-92-5

JUL 14 1992

Date Approved

John J. Lee
Clerk
Henry Mayors
Mayor

1 (Amendment of the Whole)

2 [Unreinforced Masonry Building Seismic Retrofit]

3 AMENDING PART II, CHAPTER II, OF THE SAN FRANCISCO MUNICIPAL CODE

4 (PLANNING CODE) BY AMENDING SECTION 181 TO PERMIT NONCONFORMING

5 USES TO CONTINUE FOLLOWING REQUIRED SEISMIC RETROFITTING OF

6 UNREINFORCED MASONRY BUILDINGS; BY AMENDING SECTION 188 TO PERMIT

7 A NONCOMPLYING STRUCTURE TO EXIST FOLLOWING REQUIRED RETROFIT OF

8 UNREINFORCED MASONRY BUILDINGS AND TO PERMIT MINOR MODIFICATIONS

9 TO PLANNING CODE REQUIREMENTS IN CERTAIN CIRCUMSTANCES; BY

10 AMENDING SECTION 1005 TO PROVIDE A LIMITED EXEMPTION FOR REQUIRED

11 RETROFIT ACTIVITIES OF UNREINFORCED MASONRY BUILDINGS DESIGNATED

12 AS LANDMARKS OR AS CONTRIBUTORY BUILDINGS IN HISTORIC DISTRICTS;

13 BY AMENDING SECTION 111.1 TO PROVIDE A LIMITED EXEMPTION FOR

14 REQUIRED SEISMIC RETROFIT ACTIVITIES OF UNREINFORCED MASONRY

15 BUILDINGS DESIGNATED AS SIGNIFICANT OR CONTRIBUTORY BUILDING OR

16 ANY CATEGORY V BUILDING IN A CONSERVATION DISTRICT; AND, ADOPTING

17 FINDINGS PURSUANT TO SECTION 101.1.

18 Note: Additions are underlined; deletions
19 are in ((double parentheses)).

20 Be it ordained by the people of the City and County of

21 San Francisco:

22 Section 1. Findings pursuant to the California Environmental

23 Quality Act are set forth in Board of Supervisors Resolution

24 // DOCUMENTS DEPT.

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No. 566-92 contained in Board of Supervisors File No. 114-92-4.1
and are incorporated herein by reference as though fully set forth.

Section 2. The amendments to the Planning Code below are
consistent with the eight priority policies of City Planning Code
Section 101.1 as follows:

(1) The Unreinforced Masonry Building ("UMB") Seismic
Retrofit Ordinances should preserve and enhance existing
neighborhood-serving retail uses, providing future opportunities for
resident employment in and ownership of such businesses because
buildings will be strengthened through this program, making it more
likely that the buildings will survive future earthquakes and will be
able to continue to serve neighborhood uses and residents;

(2) The UMB Seismic Retrofit Ordinances attempt to
conserve and protect existing housing and neighborhood character so
that the cultural and economic diversity of our neighborhoods may be
maintained by strengthening and thereby preserving existing UMBs in
the event of a potentially damaging earthquake;

(3) The UMB Seismic Retrofit Ordinances attempt to
preserve the existing supply of affordable housing and enhance
redevelopment opportunities on sites which cannot feasibly be
rehabilitated;

(4) The UMB Seismic Retrofit Ordinances should not affect
MUNI transit service or overburden streets or neighborhood parking;

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(5) The UMB Seismic Retrofit Ordinances attempt to maintain the City's diverse economic base by protecting industrial and service sectors from displacement so that future opportunities for resident employment and ownership in these sectors may be enhanced;

(6) The UMB Seismic Retrofit Ordinances will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake by requiring retrofit of buildings which are known to perform poorly in earthquakes;

(7) The UMB Seismic Retrofit Ordinances will preserve landmarks and historic buildings by strengthening such buildings to survive future earthquakes; and,

(8) The UMB Seismic Retrofit Ordinances should not affect parks or open space.

Section 3. Part II, Chapter II, of the San Francisco Municipal Code (Planning Code) shall be amended by amending subsection 181 thereof, to read as follows:

SEC. 181. NONCONFORMING USES: ENLARGEMENTS, ALTERATIONS AND RECONSTRUCTION.

The following provisions shall apply to nonconforming uses with respect to enlargements, alterations and reconstruction:

(a) A nonconforming use, and any structure occupied by such use, shall not be enlarged, intensified, extended, or moved to another location, with the exception of the construction of a

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mezzanine within a live/work unit, unless the result will be elimination of the nonconforming use, except as provided in Paragraph (b)(3) below and Section 186.1 of this Code. A nonconforming use shall not be extended to occupy additional space in a structure, or additional land outside a structure, or space in another structure, or to displace any other use, except as provided in Sections 182 and 186.1 of this Code.

(b) A structure occupied by a nonconforming use shall not be constructed, reconstructed or altered, unless the result will be elimination of the nonconforming use, except as provided in Section 186.1 of this Code and in Subsections (a) above and (d), (e), (f) and (g) below, and except as follows:

(1) Ordinary maintenance and minor repairs shall be permitted where necessary to keep the structure in sound condition, as well as minor alterations, where such work is limited to replacement of existing materials with similar materials placed in a similar manner.

(2) Minor alterations shall be permitted where ordered by an appropriate public official to correct immediate hazards to health or safety, or to carry out newly enacted retroactive requirements essential to health or safety.

(3) Alterations otherwise allowed by this Code shall be permitted for any portion of the structure that will not thereafter be occupied by the nonconforming use, provided the

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1 nonconforming use is not enlarged, intensified, extended, or moved to
2 another location.

3 (4) All other alterations of a structural
4 nature shall be permitted only to the extent that the aggregate total
5 cost of such other structural alterations, as estimated by the
6 Department of Public Works, is less than 1/2 of the assessed
7 valuation of the improvements prior to the first such alteration,
8 except that structural alterations required to reinforce the
9 structure to meet the standards for seismic loads and forces of the
10 Building Code shall be permitted without regard to cost.

11 (c) A dwelling or other housing structure exceeding
12 the permitted density of dwelling units or other housing units set
13 forth in Sections 207.5, 208, 209.1 or 209.2 of this Code for the
14 district in which it is located shall be classified as a
15 nonconforming use under Section 180 of this Code, but only to the
16 extent that such dwelling or other housing structure exceeds the
17 permitted density. This Section 181 shall apply with respect to
18 enlargements, alterations and reconstruction of the nonconforming
19 portion of such dwelling or other housing structure, consisting of
20 those dwelling units or other housing units which exceed the
21 permitted density. Any dwelling unit or other housing unit coming
22 within the density limit shall not be affected by this Section 181.
23 Except as provided in Section 182(e), no dwelling or other housing
24 structure exceeding the permitted density of dwelling units or other
25 housing units shall be altered to increase the number of dwelling

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1 units or other housing units therein, or to increase or create any
2 other nonconformity with respect to the dwelling unit or other
3 housing unit density limitations of Section 209.1 or Section 209.2
4 (d) Notwithstanding the foregoing provisions of this
5 Section 181, a structure occupied by a nonconforming use that is
6 damaged or destroyed by fire, or other calamity, or by Act of God, or
7 by the public enemy, may be restored to its former condition and use;
8 provided that such restoration is permitted by the Building Code, and
9 is started within one year and diligently prosecuted to completion.
10 The age of such a structure for the purposes of Sections 184 and 185
11 shall nevertheless be computed from the date of the original
12 construction of the structure. Except as provided in Subsection (e)
13 below, no structure occupied by a nonconforming use that is
14 voluntarily razed or required by law to be razed by the owner thereof
15 may thereafter be restored except in full conformity with the use
16 limitations of this Code.

17 For purposes of this Subsection, any dwelling unit or
18 other housing unit in a structure that has, in whole or substantial
19 part, been determined by the Director of Public Works to be unsafe to
20 occupy or that will require substantial repair due to damage caused
21 by the earthquake that occurred in San Francisco on October 17, 1989
22 and its associated aftershocks, may be restored and recorded as a
23 lawfully permitted unit even if its prior lawful existence cannot be
24 established if (1) the permit applicant can demonstrate to the
25 satisfaction of the Zoning Administrator that the unit has been

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1 occupied within one year prior to the earthquake, and (2) the unit is
2 brought into compliance with the Building Code, Housing Code, Fire
3 Code and any applicable requirements of State and Federal law. Any
4 dwelling unit or other housing unit legalized pursuant to this
5 Subsection shall be offered to the previous tenant, or if that tenant
6 does not desire to reoccupy such unit, to any tenant on reoccupancy
7 at the rent which was charged prior to the earthquake. If the amount
8 of rent cannot be established to the satisfaction of the Zoning
9 Administrator, the Zoning Administrator shall set a rent that is
10 affordable to households making 80 percent of the median income in
11 San Francisco, according to guidelines established by the Mayor's
12 Office of Housing.

13 (e) In order that major life safety hazards in
14 ((residential)) structures may be eliminated as expeditiously as
15 possible, a structure containing non-conforming uses and ((containing
16 dwelling units or other housing units exceeding the number permitted
17 by Section 209.1 or Section 209.2 of this Code, and)) constructed of
18 unreinforced masonry that is inconsistent with the requirements of
19 the UMB Seismic Retrofit Ordinance, Ordinance No. 227-92, ((San
20 Francisco Building Code effective September 11, 1947,)) may be
21 ((voluntarily razed)) demolished and ((restored or)) reconstructed
22 with the same non-conforming use or a use as permitted by Planning
23 Code Section 182 ((number of residential units)); provided that there
24 is no increase in any nonconformity, or any new nonconformity, with
25 respect to the use limitations of this Code; provided further that

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1 the current requirements of the Building Code, the Housing Code and
2 other applicable portions of the Municipal Code are met; and provided
3 further that such restoration or reconstruction is started within one
4 year after razing or other demolition work on the structure and
5 diligently prosecuted to completion.

6 (f) A nighttime entertainment use within the South
7 of Market RSD or SLR Districts may be enlarged, intensified, extended
8 or expanded, including the expansion to an adjacent lot or lots,
9 provided that: (1) the enlargement, intensification, extension or
10 expansion is approved as a conditional use pursuant to Sections 303
11 and 316 of this Code; (2) the use as a whole meets the parking and
12 signage requirements, floor area ratio limit, height and bulk limit,
13 and all other requirements of this Code which would apply if the use
14 were a permitted one; and (3) the provisions of Section 603.5(h) of
15 this Code are satisfied.

16 (g) Automotive sales and service signs within the
17 Automotive Special Use District which have all required permits but
18 which do not comply with the controls for new signs established in
19 Section 607.3 of this Code shall be permitted to remain as
20 nonconforming uses and shall be permitted to modify the signage text
21 to describe new automobile ownerships and dealerships that may occur
22 from time to time.

23 Section 4. Part II, Chapter II, of the San Francisco
24 Municipal Code (Planning Code) is hereby amended by amending section
25

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188 thereof to read as follows:

SEC. 188. NONCOMPLYING STRUCTURES: ENLARGEMENTS,
ALTERATIONS AND RECONSTRUCTION.

(a) Within the limitations of this Article 1.7, and especially Sections 172 and 180 hereof, a noncomplying structure as defined in Section 180 may be enlarged, altered or relocated, or undergo a change or intensification of use in conformity with the use limitations of this Code, provided that with respect to such structure there is no increase in any discrepancy, or any new discrepancy, at any level of the structure, between existing conditions on the lot and the required standards for new construction set forth in this Code, and provided the remaining requirements of this Code are met.

(b) A noncomplying structure that is damaged or destroyed by fire, or other calamity, or by Act of God, or by the public enemy, may be restored to its former condition; provided that such restoration is permitted by the Building Code, and is started within one year and diligently prosecuted to completion. Except as provided in Subsection (c) below, no noncomplying structure that is voluntarily razed or required by law to be razed by the owner thereof may thereafter be restored except in full conformity with the requirements of this Code.

(c) In order that major life safety hazards in noncomplying ((residential)) structures may be eliminated as expeditiously as possible, a noncomplying structure ((containing

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dwelling units or other housing units, and)) constructed of unreinforced masonry that is inconsistent with the requirements of the ((San Francisco Building Code effective September 11, 1947,)) UMB Seismic Retrofit Ordinance, Ordinance No. 227-92, may be ((voluntarily razed)) demolished and ((restored or)) reconstructed ((with)) to the same level of non-compliance ((number of residential units)); provided that: ((with respect to such structure there is no increase in any discrepancy, or any new discrepancy, at any level of the structure, between existing conditions on the lot and the required standards for new construction set forth in this Code; provided further that the current requirements of the Building Code, the Housing Code and other applicable portions of the Municipal Code are met; and provided further that))

((1)) The current requirements of the Building, Housing and Fire Codes and, as applicable, Planning Code are met, provided that the Zoning Administrator may, and is hereby empowered to, permit minor modifications to Planning Code requirements (which may include permitting an increase in the building envelope or a reduction in the number of parking spaces) to the extent necessary and required to bring the replacement building up to such applicable code requirements and to allow replacement of the demolished building with a building which contains a comparable amount of square footage or the same number of residential units as that of the demolished building. The Zoning Administrator shall provide a written

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determination regarding such permitted Planning Code modifications:
and

(2) such restoration or reconstruction is started within one year after razing or other demolition work on the structure and diligently prosecuted to completion.

(d) Notwithstanding Subsection (a) of this Section, a noncomplying structure as defined in Section 180, may add nonusable space. "Nonusable space" is space not used for living, sleeping, eating, cooking or working. Public corridors, mechanical space, fire stairs and similar areas, are nonusable space. The enlargement must:

(1) Facilitate the adaptive reuse or the rehabilitation of a landmark site or contributory structure within a Historic District designated under Article 10 of this Code or a significant structure or contributory structure within a Conservation District designated under Article 11 of this Code; and

(A) Be necessary to comply with Building Code, Fire Code or Planning Requirements; or

(B) Enhance the life safety aspects of the building and/or mechanical, environmental control systems; or

(2) Be located within a C-3 District, and:

(A) Be necessary to comply with Building Code, Fire Code or Planning Code requirements; or

(B) Enhance aesthetic qualities and/or character; or

(C) Enhance the life safety aspects of the building and/or mechanical, environmental control systems; or

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(D) Accommodate rooftop features exempted from height limits under Section 260(b) or as provided for under Sections 270, 271 or 272 of this Code.

(3) Application for enlargement of a noncomplying structure under Subsection (d)(1) shall be considered as part of an application for a Certificate of Appropriateness under Article 10 or a Permit to Alter under Article 11 of this Code. Any application to enlarge a noncomplying structure under Article 11 shall be considered as a major alteration under Section 111 of the Planning Code.

Application to alter a noncomplying structure not designated an Article 11 significant or contributory building under Subsection (d)(2) shall be considered under the provisions of Section 309(b) of this Code. These applications shall be subject to the following additional criteria:

(A) ((a)) That the enlargement promote the health, safety and welfare of the public; and

(B) ((b)) That the enlargement not cause significant shadows or wind impacts on public sidewalks and parks; and

(C) ((c)) That the structure provides an appropriate transition to adjacent properties, as necessary; and

(D) ((d)) That the interior block open space formed by the rear yards of abutting properties will not be adversely affected; and

(E) ((e)) That the access of light and air to abutting properties will not be significantly affected; and

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1 (F) ((f)) That public view corridors not be significantly
2 affected; and

3 (4) The City Planning Commission, subject to the same
4 application procedures of Section 188(d)3 above, may grant an
5 exception to the Planning Code requirements rather than expansion of
6 the structure to accommodate the Planning Code requirements. The
7 exception of the Planning Code requirement shall be subject to the
8 criteria below:

9 (A) ((a)) That the exception promote the health, safety and
10 welfare of the public; and

11 (B) ((b)) That the exception result in an increased benefit
12 to the public and the adjacent properties over the increase in
13 nonconformance; and

14 (C) ((c)) That the exception not be detrimental to either the
15 occupants of the proposed project or to the neighborhood. (Added by
16 Ord. 443-78, App. 10/6/78; amended by Ord. 268-91, App. 6/26/91)

17
18 Section 5. Part II, Chapter II, of the San Francisco
19 Municipal Code (Planning Code) is hereby amended by amending
20 subsection 1005 thereof, to read as follows:

21 SEC. 1005. CONFORMITY AND PERMITS.

22 (a) No person shall carry out or cause to be carried
23 out on a designated landmark site or in a designated historic
24 district any construction, alteration, removal or demolition of a
25 structure or any work involving a sign, awning, marquee, canopy or

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34

1 other appendage, for which a city permit is required, except in
2 conformity with the provisions of this Article 10. In addition, no
3 such work shall take place unless all other applicable laws and
4 regulations have been complied with, and a permit has been issued for
5 said work.

6 (b) The Central Permit Bureau shall not issue, and
7 no other City department or agency shall issue, any permit for
8 construction, alteration, removal or demolition of a structure or any
9 permit for work involving a sign, awning, marquee, canopy or other
10 appendage, on a landmark site or in a historic district, except in
11 conformity with the provisions of this Article 10. In addition, no
12 such permit shall be issued unless all other applicable laws and
13 regulations have been complied with.

14 (c) Where so provided in the designating ordinance
15 for a historic district, any or all exterior changes visible from a
16 public street or other public place shall require approval in
17 accordance with the provisions of this Article 10, regardless of
18 whether or not a City permit is required for such exterior changes.
19 Such exterior changes may include, but shall not be limited to,
20 painting and repainting; landscaping; fencing; and installation of
21 lighting fixtures and other building appendages.

22 (d) The Department shall maintain with the Central
23 Permit Bureau a current record of designated landmarks and historic
24 districts. Upon receipt of any application for a permit to carry out
25 any construction, alteration, removal or demolition of a structure or

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BOARD OF SUPERVISORS

1 any work involving a sign, awning, marquee, canopy or other
2 appendage, on a landmark site or in a historic district, the Central
3 Permit Bureau shall, unless the structure or feature concerned has
4 been declared unsafe or dangerous pursuant to Section 1007 of this
5 Article 10, promptly forward such permit application to the
6 Department.

7 (e) After receiving a permit application from the
8 Central Permit Bureau in accordance with the preceding subsection,
9 the Department shall ascertain whether Section 1006 requires a
10 Certificate of Appropriateness for the work proposed in such permit
11 application. If such Certificate is required and has been issued,
12 and if the permit application conforms to such Certificate, the
13 permit application shall be processed without further reference to
14 this Article 10. If such Certificate is required and has not been
15 issued, or if in the sole judgment of the Department the permit
16 application does not so conform, the permit application shall be
17 disapproved or held by the Department until such time as conformity
18 does exist; the decision and action of the Department shall be
19 final. ~~Notwithstanding the foregoing, (Provided, however, that) in~~
20 the following cases the Department shall ((in any event)) process the
21 permit application without further reference to this Article 10:
22 (1) When the application is for a permit to
23 construct on a landmark site where the landmark has been lawfully
24 demolished and the site is not within a designated historic district;
25 //

1 (2) When the application is for a permit to make
2 interior alterations only on a privately owned structure, or on a
3 publicly owned structure unless the designating ordinance requires
4 review of such alterations pursuant to Section 1004(c) hereof;
5 (3) When the application is for a permit to do
6 ordinary maintenance and repairs only. For the purpose of this
7 Article 10, "ordinary maintenance and repairs" shall mean any work,
8 the sole purpose and effect of which is to correct deterioration,
9 decay or damage, including repair of damage caused by fire or other
10 disaster.

11 (4) When the application is for a permit to
12 comply with the UMB Seismic Retrofit Ordinances and the Zoning
13 Administrator determines that the proposed work complies with the
14 UMB Retrofit Architectural Design Guidelines, which guidelines shall
15 be adopted by the Planning Commission.

16 Section 6. Part II, Chapter II, of the San Francisco
17 Municipal Code (Planning Code) is hereby amended by amending
18 subsection 111.1 thereof, to read as follows:

19 SEC. 111.1. DETERMINATION OF MAJOR ALTERATION.
20 Within 10 days after referral by the Central Permit
21 Bureau, the Zoning Administrator shall determine in writing if the
22 proposed alteration is a Major Alteration or a Minor Alteration.
23 (a) An alteration is considered Major if any of the
24 following apply:
25

(1) The alteration will substantially change, obscure or destroy exterior character-defining spaces, materials, features or finishes; or

(2) The alteration would affect all or any substantial part of a building's structural elements, exterior walls or exterior ornamentation; or

(3) The alteration occurs by virtue of construction which results in a substantial addition of height above the height of the building.

(b) An alteration is considered minor if:

(1) The criteria set forth in subsection (a) do not apply; or

(2) It is an alteration of the ground floor display areas within the architectural frame (piers and lintels) of the building to meet the needs of first floor commercial uses ((.));

OR

(3) The sole purpose and effect of the alteration is to comply with the UMB Seismic Retrofit Ordinances and the Zoning Administrator determines that the proposed work complies with the UMB Retrofit Architectural Design Guidelines, which guidelines shall be adopted by the Planning Commission.

(c) The Zoning Administrator shall mail to the applicant and any individuals or organizations who so request the written determination as to the category of the proposed alteration. Decisions of the Zoning Administrator may be appealed to the Board of

0963j Page 17 of 18
07/06/92

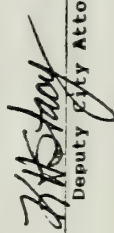
BOARD OF SUPERVISORS

Permit Appeals within 10 days of the written determination in the manner provided in Section 308.2.

(d) Permits determined to be for minor alterations shall be returned, with that determination noted, to the Central Permit Bureau for further processing; provided, however, that the Zoning Administrator may take any action with respect to the application otherwise authorized.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By 
Deputy City Attorney

Page 18 of 18
07/06/92

0963j

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading § Finally Passed

July 6, 1992 § July 13, 1992

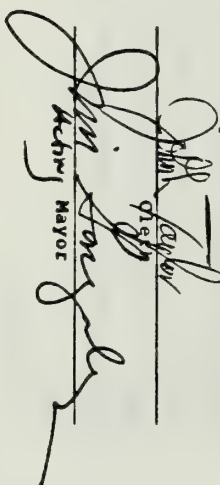
Ayes: Supervisors Britt Conroy
Gonzalez Hallinan Hsieh Maher
Migden Shelley

Absent: Supervisors Achtenberg
Alto Kennedy

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

JUL 14 1992

Date Approved


John S. Mahoney
Mayor

File No.
115-92-8

(VEHICLE REMOVAL ADMINISTRATIVE FEE)

AMENDING ARTICLE 9 OF PART II, CHAPTER XI OF THE SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) BY ADDING THERETO SECTION 170.1 RELATING TO IMPOSING AN ADMINISTRATIVE FEE FOR REMOVING VEHICLES FROM CITY STREETS AND HIGHWAYS.

Note: This entire Section 170.1 is new.

Be it ordained by the People of the City and County of San Francisco:

Article 9 of Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code) is hereby amended by adding Section 170.1 to read as follows:

SEC. 170.1. ADMINISTRATIVE FEE. A fee to reimburse the City and County for costs incurred in the administration of the procedures for removing vehicles under this Article 9 shall be charged to the owner of a vehicle removed pursuant to this Article. The Director of the Department of Parking and Traffic or his or her duly authorized representative is authorized to establish the fee to be so charged or collected, provided however that the fee shall not exceed an amount reasonably calculated to cover the actual costs incurred by the City and County in the exercise and administration of the operations and obligations imposed by this Article. The administrative fee imposed pursuant to this Section shall be in addition to the fee charged by the operator to the owner of a removed vehicle pursuant to the contract between the operator and the City and County. The fee

BOARD OF SUPERVISORS

imposed pursuant to this Section shall not be taken into account in determining the maximum fee that may be charged by the operator to the owner of a removed vehicle as provided in Section 166 of this Article 9, nor shall the administrative fee imposed pursuant to this Section be taken into account in determining whether a fee charged by the operator to the owner of a removed vehicle is excessive under Section 170 of this Article 9. The Director of the Parking and Traffic Department of the City and County, with the approval of the Parking and Traffic Commission of the City and County, is hereby authorized to adopt such rules, regulations and procedures as he or she determines are necessary and appropriate for the imposition, collection and administration of the fee imposed by this Section.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: *Larry White*
LARRY WHITE
Deputy City Attorney

DOCUMENTS DEPT.

JUL 30 1992

SAN FRANCISCO
PUBLIC LIBRARY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

§ Finally Passed

July 6, 1992

§ July 13, 1992

Ayes: Supervisors Achtenberg Britt
Conroy Hallinan Hsieh Maher
Migden Shelley
Absent: Supervisors Alioto Gonzalez
Kennedy

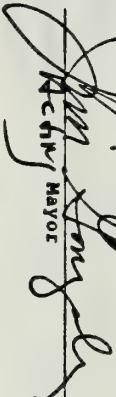
§ Ayes: Supervisors Conroy Gonzalez
Hallinan Hsieh Kennedy Maher
Shelley
§ Absent: Supervisors Achtenberg
Alioto Britt Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco


Clerk

JUL 14 1992

Date Approved


Acting Mayor

File No.
124-92-6

(Abatement of Abandoned Vehicles)

AMENDING PART II, CHAPTER XI OF THE SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) BY ADDING, AS ARTICLE 13A THEREOF, SECTION 225 RELATING TO ESTABLISHMENT OF A SERVICE AUTHORITY FOR ABATEMENT OF ABANDONED VEHICLES; SECTION 226 RELATING TO IMPOSING A SERVICE FEE FOR THE ABANDONED VEHICLE TRUST FUND; SECTION 227 RELATING TO PROCEDURES FOR ABATEMENT OF ABANDONED VEHICLES; SECTION 228 RELATING TO PREPARATION OF AN ABANDONED VEHICLE ABATEMENT PROGRAM AND PLAN; AND SECTION 229 RELATING TO THE DEFINITIONS OF TERMS; AND BY AMENDING ARTICLE 14 THEREOF IN THE FOLLOWING PARTICULARS: AMENDING SECTIONS 230, 231 AND 245 THEREOF TO INCLUDE HIGHWAYS AS PROPERTY FROM WHICH ABANDONED VEHICLES MAY BE REMOVED; FURTHER AMENDING SECTION 231 THEREOF TO ADD A DEFINITION; AMENDING SECTION 234 THEREOF TO REFER TO NEW ARTICLE 13A OF THE TRAFFIC CODE AND TO DEFINE THE SCOPE OF THE AUTHORITY OF THE DEPARTMENT OF PUBLIC HEALTH; AMENDING SECTIONS 235 AND 236 THEREOF TO TRANSFER FROM THE PURCHASER OF SUPPLIES TO THE DIRECTOR OF PARKING AND TRAFFIC THE AUTHORITY TO ENTER INTO CONTRACTS FOR TOWING; ADDING SECTION 244.1 AUTHORIZING THE IMPOSITION OF A FINE ON THE OWNERS OF ABANDONED VEHICLES; AND FURTHER AMENDING SECTION 245 THEREOF TO ALLOW MONEYS RECEIVED FROM THE STATE'S ABANDONED VEHICLE TRUST FUND TO BE CREDITED TO THE ABANDONED VEHICLE ABATEMENT AND REMOVAL FUND OF THE CITY.

Note: Additions or substitutions are underlined;
deletions are indicated by ((double parentheses)).

Page 1 of 9
06/30/92

001E
BOARD OF SUPERVISORS

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code) is hereby amended by adding thereto, as Article 13A, Sections 225, 226, 227, 228 and 229, to read as follows:

ARTICLE 13A

SERVICE AUTHORITY FOR ABATEMENT OF ABANDONED VEHICLES

SEC. 225. SERVICE AUTHORITY ESTABLISHED. A service authority for the abatement of abandoned vehicles is hereby established pursuant to the provisions of Section 22710 of the California Vehicle Code. The members of the Parking and Traffic Commission of the City and County of San Francisco shall serve ex officio as the members of the Service Authority for the Abatement of Abandoned Vehicles. Except as otherwise provided in this Article 13A, the Service Authority shall have all of the powers and be subject to all of the conditions, restrictions and obligations that are set forth in Section 22710 of the California Vehicle Code.

SEC. 226. SERVICE FEE FOR ABANDONED VEHICLE TRUST FUND. Imposition of a service fee of \$1 on vehicles registered to an owner with an address in the City and County of San Francisco for deposit in the Abandoned Vehicle Trust Fund, as permitted by Section 9250.7 of the California Vehicle Code, is hereby

Page 2 of 9
06/30/92

001E
BOARD OF SUPERVISORS

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JUL 30 1992

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1 approved, and the Service Authority for the Abatement of
2 Abandoned Vehicles is authorized to enact a resolution imposing
3 such service fee pursuant to said Section 2250.7.

4 SEC. 227. PROCEDURES FOR ABATEMENT OF ABANDONED VEHICLES.

5 The procedures for abatement of abandoned vehicles are set forth
6 in Article 9 (beginning with Section 159) and Article 14
7 (beginning with Section 230) of the San Francisco Traffic Code.
8 The Service Authority for the Abatement of Abandoned Vehicles
9 shall administer the abandoned vehicle abatement program set
10 forth in said Articles 9 and 14 for the abatement of abandoned
11 vehicles located on public property, and shall be subject to all
12 of their terms and provisions. The Service Authority may adopt
13 all of the terms and provisions of said Articles 9 and 14 as the
14 ordinance it is permitted to adopt by Section 22710 of the
15 California Vehicle Code, but it may not amend any of said
16 Articles 9 and 14 or delete from or add to them without first
17 obtaining approval by ordinance of the Board of Supervisors. The
18 Director of Public Health or his duly authorized agent shall
19 administer the abandoned vehicle abatement program for the
20 abatement of abandoned vehicles from private property pursuant to
21 Article 14.

22 SEC. 228. PREPARATION OF PROGRAM AND PLAN. The Service

23 Authority for the Abatement of Abandoned Vehicles is hereby
24 directed to prepare an abandoned vehicle abatement program and
25 plan pursuant to the provisions of Section 22710 of the

1 California Vehicle Code, to submit said program and plan to the
2 Board of Supervisors for approval and, if approval is granted, to
3 then submit said plan to the Department of California Highway
4 Patrol as required by said Section 22710.

5 SEC. 229. DEFINITIONS. The terms defined in Section 231 of
6 Article 14 shall have the same meanings given to them in that
7 section when they are used in this Article.

8
9 Section 2. Sections 230, 231, 234, 235, 236 and 245 of
10 Article 14, Part II, Chapter XI of the San Francisco Municipal
11 Code (Traffic Code) are hereby amended, and Section 244.1 is
12 hereby added, to read as follows:

13 SEC. 230. PUBLIC NUISANCE: FINDINGS AND DECLARATIONS. In
14 addition to and in accordance with the determination made and the,
15 authority granted by the State of California under Section 22660
16 of the Vehicle Code to remove abandoned, wrecked, dismantled or
17 inoperative vehicles or parts thereof as public nuisances, the
18 Director of Public Health or his duly authorized agent hereby
19 makes the following findings and declarations:

20 The accumulation and storage of abandoned, wrecked,
21 dismantled, or inoperative vehicles or parts thereof on private
22 or public property (not including highways) is hereby found to
23 create a condition tending to reduce the value of private
24 property, to promote blight and deterioration, to invite
25 plundering, to create fire hazards, to constitute an attractive

1 nuisance creating a hazard to the health and safety of minors, to
2 create harborage for rodents and insects and to be injurious to
3 the health, safety and general welfare. Therefore, the presence
4 of an abandoned, wrecked, dismantled or inoperative vehicle or
5 parts thereof, on private or public property ((not including
6 highways)), except as expressly hereinafter permitted, is hereby
7 declared to constitute a public nuisance which may be abated as
8 such in accordance with the provisions of this Ordinance.

9 SEC. 231. DEFINITIONS. (a) The term "vehicle" means a
10 device by which any person or property may be propelled, moved,
11 or drawn upon a highway, except a device moved by human power or
12 used exclusively upon stationary rails or tracks.

13 (b) The term "highway" means a way or place of whatever
14 nature, publicly maintained and open to the use of the public for
15 purposes of vehicular travel, including streets (Highway
16 includes streets)).

17 (c) The term "public property" ((does not include
18 "highway")) includes highways.

19 (d) The term "Director of Parking and Traffic" means the
20 Director of Parking and Traffic or his or her duly authorized
21 agent.

22 ((d)) (e) The term "abandoned vehicle" means any vehicle, or
23 part thereof, left parked, standing, or otherwise unattended for
24 72 or more consecutive hours.

25 ((e)) (f) The term "cost of removal" means the cost incurred

by the Director of Public Health or his duly authorized agent in
towing, removing, or causing the removal of an abandoned,
wrecked, dismantled or inoperative vehicle, or part thereof.

((f)) (g) The term "cost of administration" means the cost
incurred by the Director of Public Health or his duly authorized
agent in carrying out the terms and provisions of this Article
other than cost of removal.

((g)) (h) The term "hearing officer" means the director of
Public Health or his duly authorized agent.

((h)) (i) The term "order" means the official findings and
conclusions arrived at by the Director of Public Health or his
duly authorized agent following a public hearing conducted
pursuant to this Article.

((i)) (j) The term "owner of the land" means the owner of
the real property on which the vehicle, or parts thereof, is
located, as shown on the last equalized assessment roll.

((j)) (k) The term "owner of the vehicle" means the last
registered owner and legal owner of record.

SEC. 234. ENFORCEMENT BY HEALTH DEPARTMENT. Except as

provided in Article 13A of this Code with respect to the
abatement of abandoned vehicles from public property and as
otherwise provided herein, the provisions of this Article shall
be administered and enforced by the Director of Public Health or
his duly authorized agent. In the enforcement of this Article
the Director of Public Health or his duly authorized agent who

1 has reasonable grounds to believe that a vehicle or parts thereof
2 is abandoned, wrecked, dismantled or inoperative may enter upon
3 private ((or public)) property to examine said vehicle or parts
4 thereof, or obtain information as to the identity of said vehicle
5 and to remove or cause the removal of said vehicle or part
6 thereof declared to be a nuisance pursuant to this Article.

7 SEC. 235 ((PURCHASER OF SUPPLIES)) DIRECTOR OF PARKING AND
8 TRAFFIC TO ENTER INTO CONTRACTS. The ((Purchaser of Supplies))
9 Director of Parking and Traffic is hereby authorized to enter
10 into contracts on behalf of the City and County of San Francisco
11 for the towing, removing, scrapping, or otherwise disposing of
12 vehicles or parts thereof which are ordered removed by the
13 Director of Public Health, the Director of Parking and Traffic or
14 their ((this)) duly authorized agents, pursuant to this Article,
15 Article 13A and the laws of the State of California, and may
16 charge the owner of the parcel of land on which the vehicle
17 or part thereof is located a fee which shall not be in excess of
18 that agreed upon in said contract.

19 SEC. 236. INDEPENDENT CONTRACTORS. When the ((Purchaser of
20 Supplies)) Director of Parking and Traffic has contracted with or
21 granted a franchise to any person or persons, such person or
22 persons shall be authorized to enter upon private property or
23 public property to remove or cause the removal of a vehicle or
24 parts thereof declared to be a nuisance pursuant to this
25 Ordinance.

1 SEC. 244.1 IMPOSITION OF FINE ON THE OWNER OF AN ABANDONED
2 VEHICLE. The Director of Parking and Traffic is hereby
3 authorized to impose a fine upon the owner of any vehicle removed
4 pursuant to Article 9 or Article 14. In accordance with Section
5 22521 of the California Vehicle Code, for the reimbursement of
6 the costs of removal and administration of the abandoned vehicle
7 program. The Director of Parking and Traffic shall adopt such
8 procedures, regulations and rules as he or she determines are
9 necessary for the imposition of the fine authorized by this
10 Section 244.1, provided such procedures, regulations and rules
11 are in accordance with the provisions of Section 22521 of the
12 California Vehicle Code.

13 SEC. 245. CONTINUING APPROPRIATION ACCOUNT. There is hereby
14 created in the General Fund a continuing appropriation account
15 entitled "the Abandoned Vehicle Abatement and Removal Fund."
16 This account shall be credited with such sums as may be
17 appropriated by the Board of Supervisors, amounts collected by
18 the Director of Public Health or the Director of Parking and
19 Traffic, ((and)) sums received in payment of special assessments
20 and moneys received from the Abandoned Vehicle Trust Fund
21 pursuant to Section 9250.7 of the California Vehicle Code.
22 Expenditures from said sums shall be made to pay for the
23 abatement and removal of nuisances as provided by Traffic Code
24 Sections 152 through 172, and Sections 225 ((230)) through 245.
25 All moneys received from the Abandoned Vehicle Trust Fund shall

1 be segregated and used only for abatement, removal and disposal
2 of abandoned, wrecked, dismantled or inoperative vehicles or
3 parts thereof. In the event that the unexpended balance in said
4 account, excluding moneys received from the Abandoned Vehicle
5 Trust Fund, shall exceed \$200,000, such excess shall be
6 transferred to the unappropriated balance of the General Fund.
7

8 APPROVED AS TO FORM:

9 LOUISE H. RENNE
10 City Attorney

11 By: Larry Wayne
12 LARRY WAYNE
13 Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading § Finally Passed
July 6, 1992. § July 13, 1992

Ayes: Supervisors Achtenberg Britt §
Conroy Hallinan Hsieh Maher §
Migden Shelley §

Ayes: Supervisors Conroy Gonzalez
Hallinan Hsieh Kennedy Maher
Shelley §

Absent: Supervisors Alioto Gonzalez §
Kennedy §

Absent: Supervisors Achtenberg
Alioto Britt Migden §

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

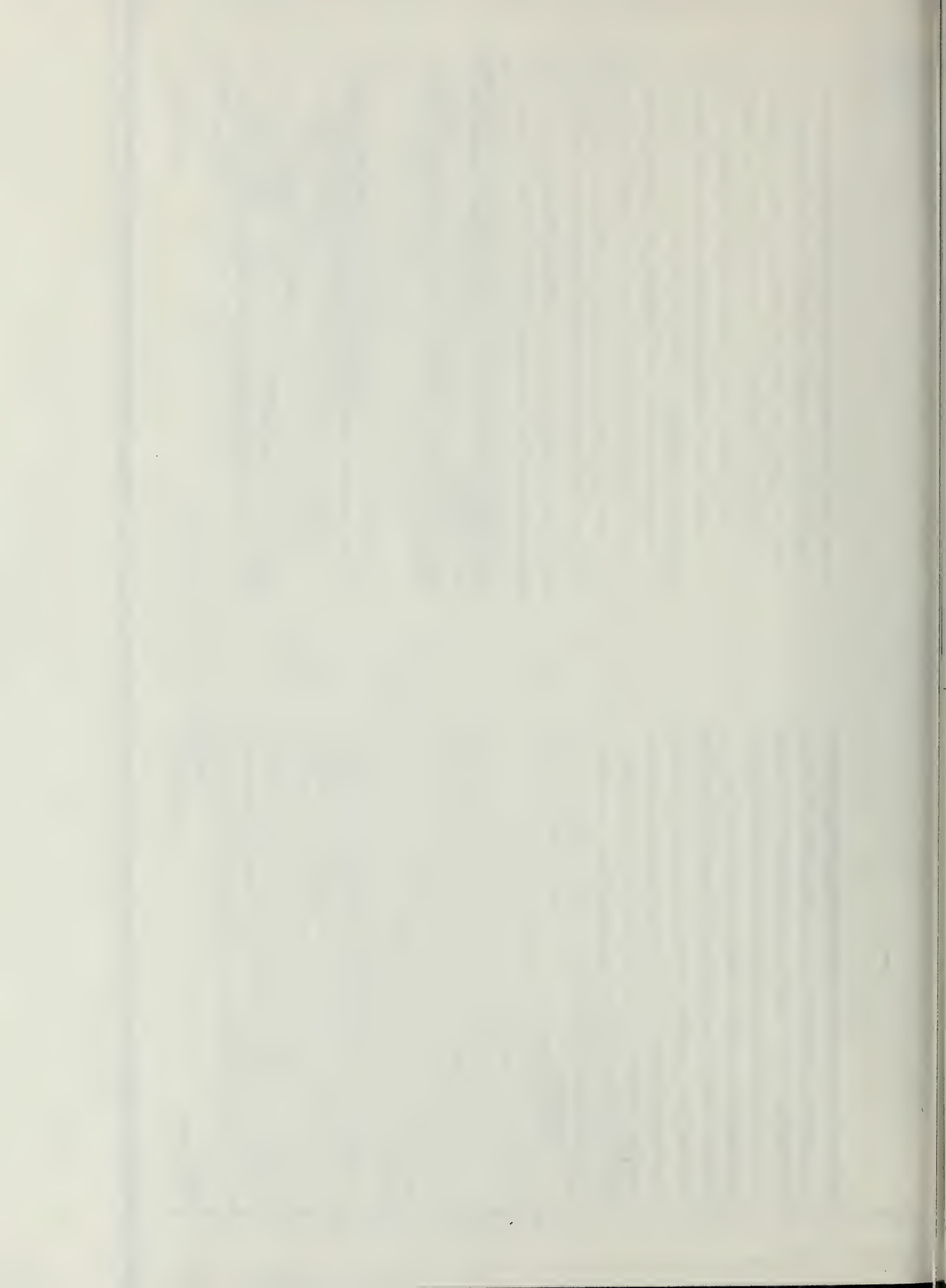
JUL 14 1992

File No.
124-92-7

Date Approved

Page 9 of 9
06/30/92

0012
BOARD OF SUPERVISORS



1 [SETTLEMENT OF LAWSUIT]
 2 AUTHORIZING SETTLEMENT OF LITIGATION OF MICHAEL B. DAVIS AGAINST THE CITY AND COUNTY
 3 OF SAN FRANCISCO FOR \$17,500.

4 Be it ordained by the People of the City and County of San Francisco:

5 Section 1. The City Attorney is hereby authorized to settle the action
 6 entitled "MICHAEL B. DAVIS V. THE CITY AND COUNTY OF SAN FRANCISCO, et al.,"
 7 United States District Court No. C-90-2299 DLJ, by the payment of \$17,500.

10 APPROVED AS TO FORM
 11 AND RECOMMENDED:

12 LOUISE H. RENNE
 13 City Attorney

RECOMMENDED:

WAR MEMORIAL

14 *Kimberly Riley Clement*
 15 KIMBERLY RILEY CLEMENT
 16 Chief Trial Deputy

Thelma Shelley
 THELMA SHELLEY, MANAGING DIRECTOR

17 FUNDS AVAILABLE:

20 01 001 97 09 46
 21 309914 1450 \$17,500.00

MAY 15 1992

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed

July 13, 1992 \$ July 20, 1992

Ayes: Supervisors Gonzalez Hallinan \$
 Hsieh Kennedy Maher Shelley \$

Ayes: Supervisors Achtenberg Alioto
 Britt Conroy Gonzalez Hallinan
 Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg \$
 Alioto Britt Conroy Migden \$

Absent: Supervisor Migden \$

I hereby certify that the foregoing ordinance
 was finally passed by the Board of Supervisors
 of the City and County of San Francisco

File No.
 45-92-26

JUL 24 1992

Date Approved

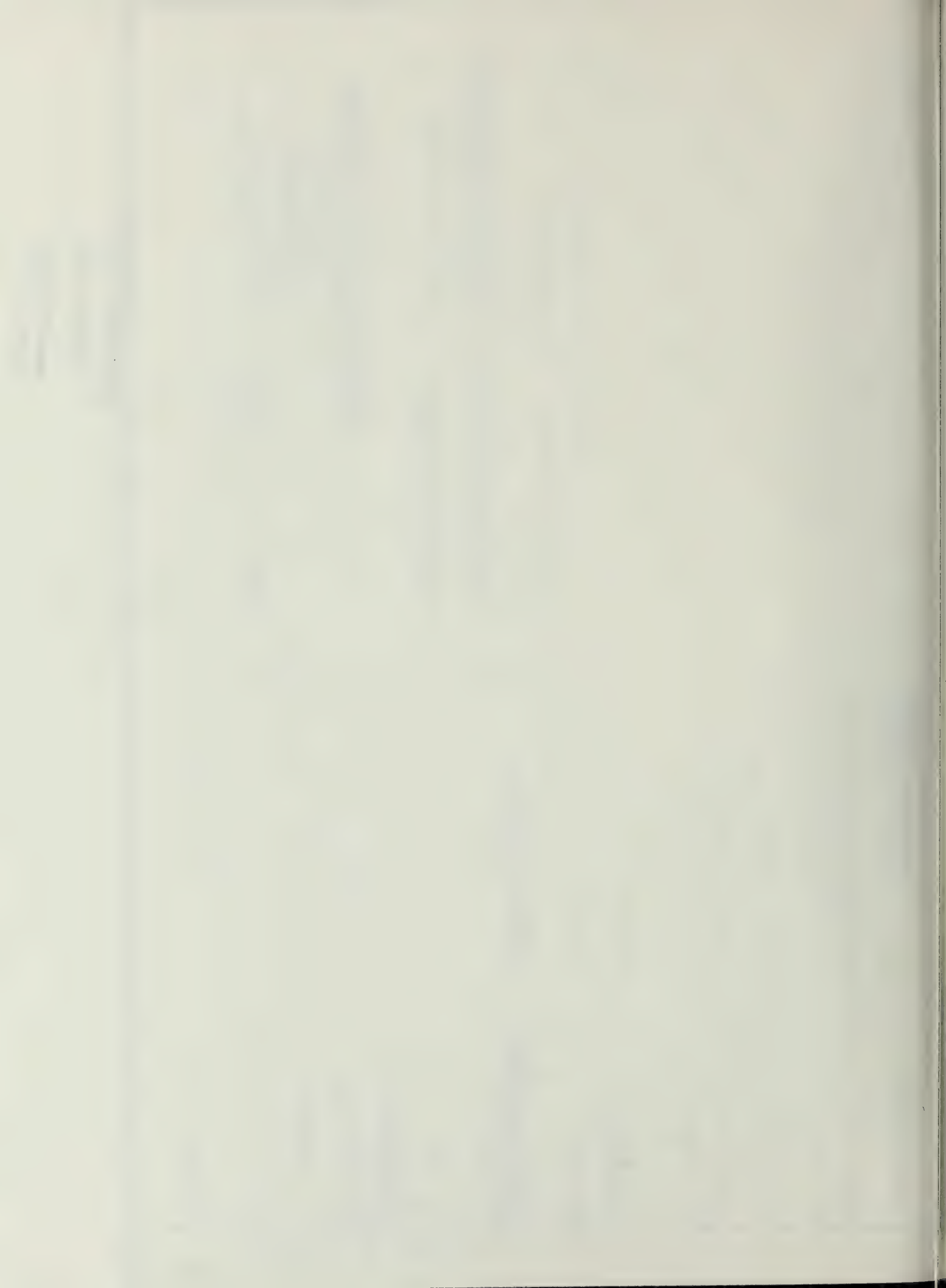
Clerk

Mayor

DOCUMENTS DEPT.

AUG 05 1992

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1 [SETTLEMENT OF LAWSUIT]

2 AUTHORIZING SETTLEMENT OF LITIGATION OF RAY MCCOWAN AGAINST THE

3 CITY AND COUNTY OF SAN FRANCISCO for \$16,000.

5 Be it ordained by the People of the City and County of

6 San Francisco:

7 Section 1. The City Attorney is hereby authorized to.

8 settle the action entitled "Ray McCowan v. Kenneth Richard

9 Burgess, et al.," San Francisco Municipal Court No. 045-423, by

10 the payment of \$16,000.

12 APPROVED AS TO FORM

13 AND RECOMMENDED:

14 LOUISE H. RENNE
City Attorney15 *Kimberly Riley Clement*
KIMBERLY RILEY CLEMENT
Chief Trial Deputy

RECOMMENDED:

SHERIFF'S DEPARTMENT

16 *Michael Hennessey*
MICHAEL HENNESSEY
Sheriff

18 FUNDS AVAILABLE:

20 EDWARD M. HARRINGTON

21 Controller

01 001 97 09 06

309740 1450 \$16,000.00

JUL 10 1992

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed

July 13, 1992 \$ July 20, 1992

Ayes: Supervisors Gonzalez Hallinan \$

Hsieh Kennedy Maher Shelley \$

Ayes: Supervisors Achtenberg Alioto
Britt Conroy Gonzalez Hallinan
Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg \$

Alioto Britt Conroy Migden \$

Absent: Supervisor Migden \$

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San FranciscoFile No.
45-92-31

JUL 24 1992

Date Approved

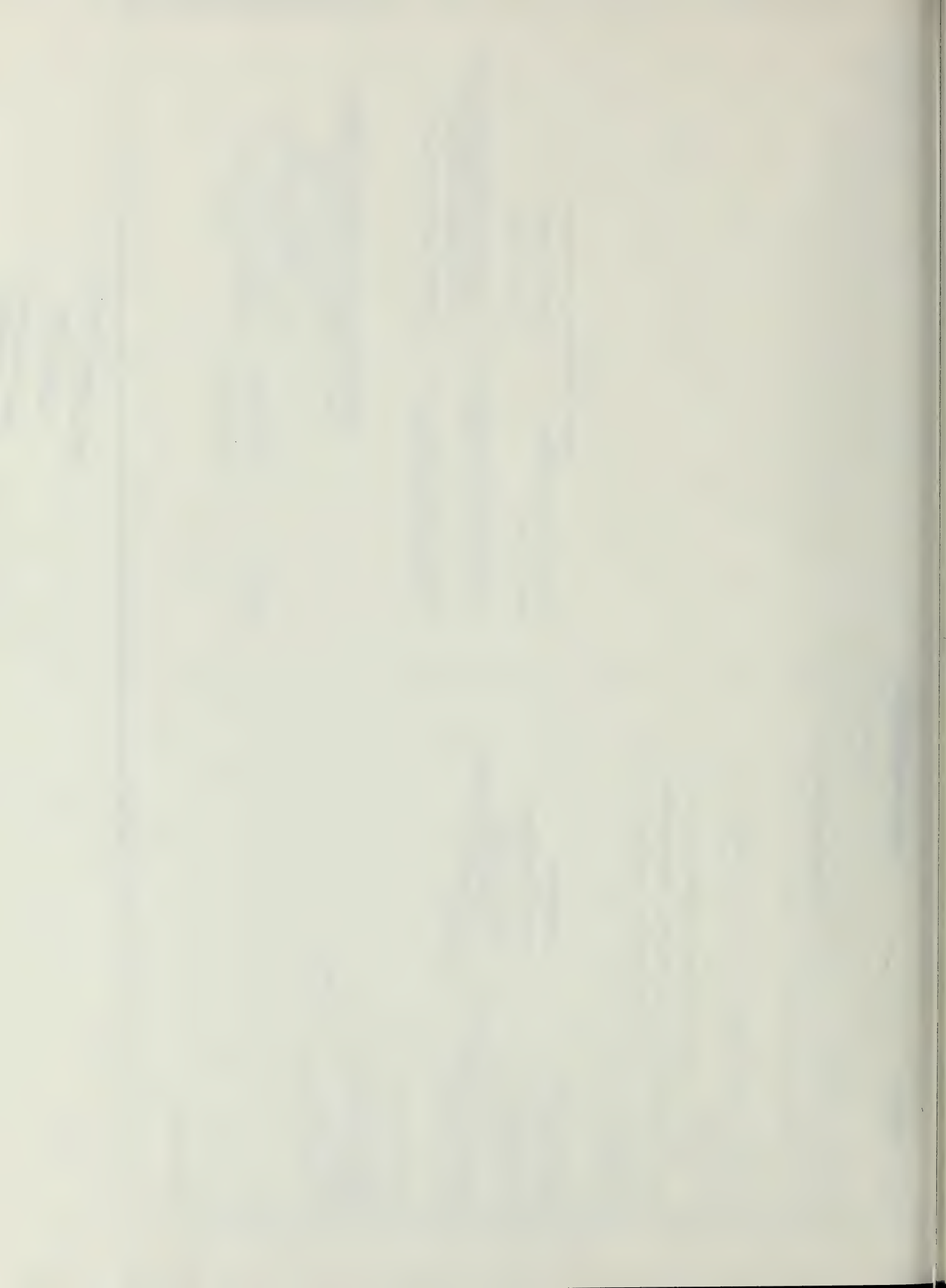
Clerk

Mayor

DOCUMENTS DEPT.

AUG 05 1992

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PUBLIC LIBRARY



[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF ESSEL AND HOMER MAGAT
AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for \$26,000.

Be it ordained by the People of the City and County of

San Francisco:

Section I. The City Attorney is hereby authorized to
settle the action entitled "ESSEL AND HOMER MAGAT v. CITY AND
COUNTY OF SAN FRANCISCO, et al.," San Francisco Superior Court
No. 934-944, by the payment of \$17,500 to Homer Magat and \$8,500
to Essel Magat.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

Kimberly Reiley Clement
KIMBERLY REILEY CLEMENT
Chief Trial Deputy

RECOMMENDED:

Thomas Murphy
THOMAS MURPHY
Acting Chief of Police

FUNDS AVAILABLE:

Edward M. Harrington
EDWARD M. HARRINGTON
Controller

JUL 16 1992

01 001 97 09 38
309781 1450 \$26,000.00

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading § Finally Passed

July 13, 1992 § July 20, 1992

Ayes: Supervisors Gonzalez Hallinan
Haieh Kennedy Maher Shelley

Ayes: Supervisors Achtenberg Alloto
Britt Conroy Gonzalez Hallinan
Haieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg
Alloto Britt Conroy Migden

Absent: Supervisor Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

File No.
45-92-32

JUL 24 1992

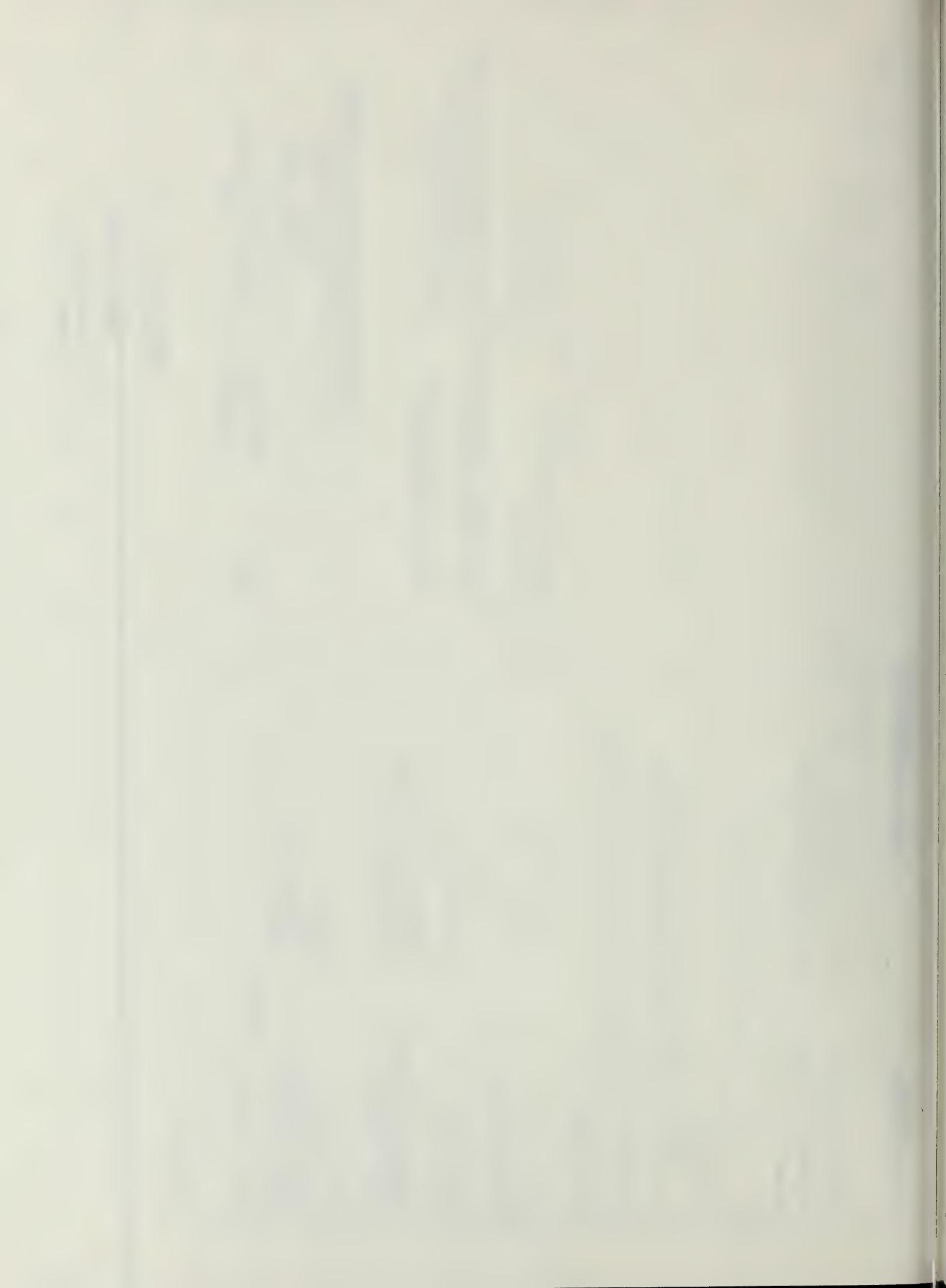
Date Approved

Mayor

DOCUMENTS DEPT.

AUG 05 1992

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1 [SETTLEMENT OF LAWSUIT]
 2 AUTHORIZING SETTLEMENT OF LITIGATION OF JAY ENDICOTT AGAINST THE
 3 CITY AND COUNTY OF SAN FRANCISCO for \$6,000.00.

4 Be it ordained by the People of the City and County of

5 San Francisco:

6 Section 1. The City Attorney is hereby authorized to settle
 7 the action entitled "JAY ENDICOTT v. CITY AND COUNTY OF

8 SAN FRANCISCO, et al., "Superior Court No. 938-244, by the payment
 9 of \$6,000.00.

10
 11 APPROVED AS TO FORM
 12 AND RECOMMENDED:

RECOMMENDED:

13 LOUISE H. RENNE
 14 City Attorney

DEPARTMENT OF PUBLIC WORKS

15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

JOHN E. CRIBBS, Director

FUNDS AVAILABLE:

APPROVED:

309674 1450 \$6,000.00

01 001 97 09 90

JUL 16 1992

CHIEF ADMINISTRATIVE OFFICER

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed

July 13, 1992 \$ July 20, 1992

Ayes: Supervisors Gonzalez Hallinan \$
 Hsieh Kennedy Maher Shelley \$
 Absent: Supervisors Achtenberg \$
 Alloto Britt Conroy Migden \$

Ayes: Supervisors Achtenberg Alloto \$
 Britt Conroy Gonzalez Hallinan \$
 Hsieh Kennedy Maher Shelley \$
 Absent: Supervisor Migden \$

I hereby certify that the foregoing ordinance
 was finally passed by the Board of Supervisors
 of the City and County of San Francisco

Clerk

JUL 24 1992

Date Approved

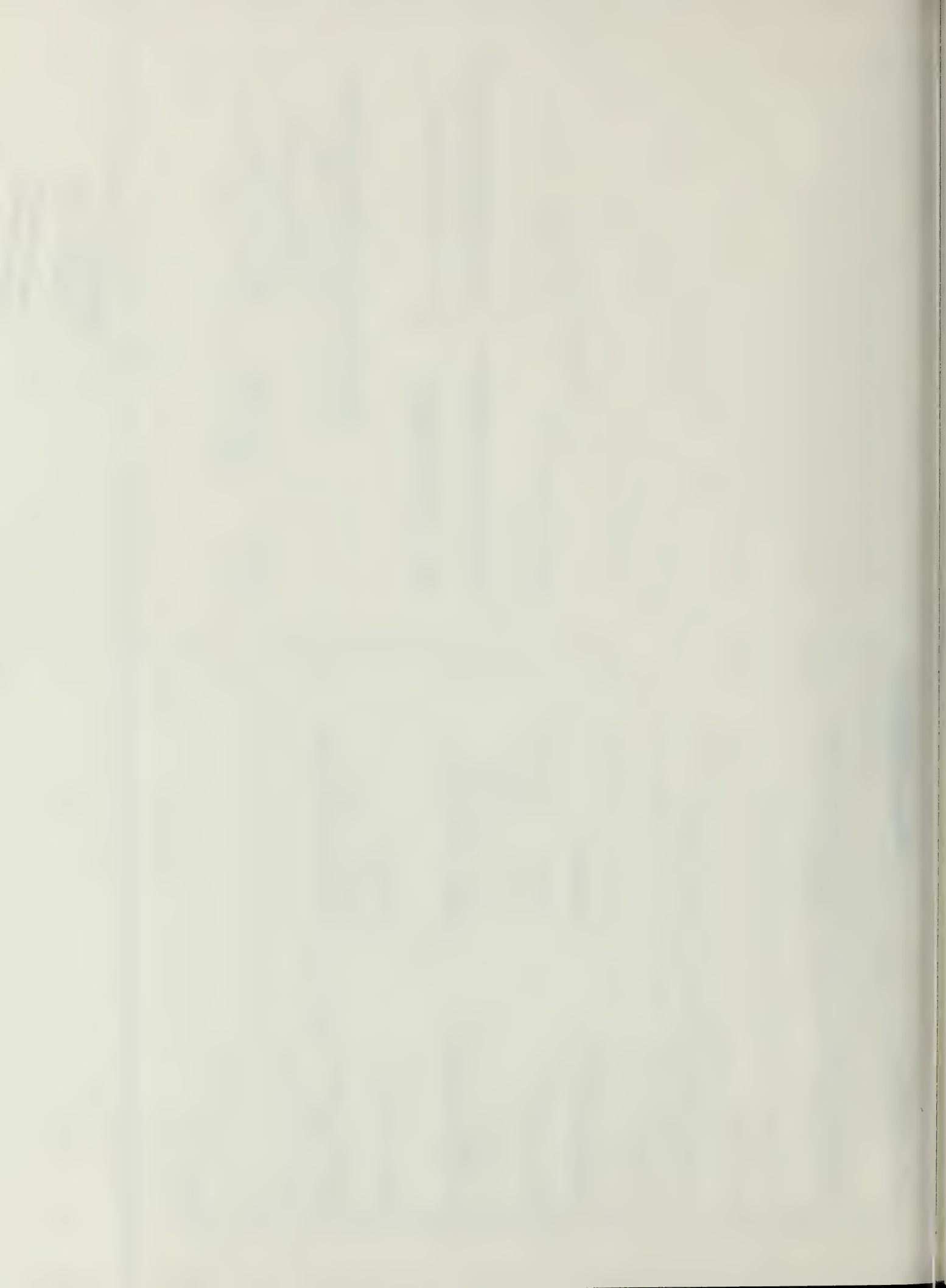
Mayor

File No.
 45-92-33

BOARD OF SUPERVISORS

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 AUG 05 1992

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1 [SETTLEMENT OF LAWSUIT]

2 AUTHORIZING SETTLEMENT OF LITIGATION OF CITY AND COUNTY OF SAN
 3 FRANCISCO V. TERMINALS EQUIPMENT COMPANY, INC. FOR \$7,500,000 PLUS
 4 INTEREST AT SIX PERCENT ANNUALLY FROM DECEMBER 1, 1991.

5 Be it ordained by the People of the City and County of San
 6 Francisco:

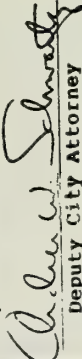
7 Section 1. On December 10, 1990, the Board of Supervisors
 8 adopted Resolution No. 972-90, a Resolution of Public Interest and
 9 Necessity to acquire the real property known as Assessor's Block
 10 3742, Lots 7, 8, 8A, 9, and 10 by eminent domain for the rerouting
 11 of a portion of the Embarcadero roadway, the Municipal Railway Metro
 12 turnback, and the new Rincon Park. In Resolution No. 972-90, the
 13 Board appropriated the funds referenced in the Resolution toward the
 14 purchase of the property. On May 1, 1991, the City Attorney
 15 deposited \$7,100,000 of the amount appropriated with the Clerk of
 16 the San Francisco Superior Court as the probable compensation for
 17 immediate possession of the property under Code of Civil Procedure
 18 §1255.010 in the action entitled CITY AND COUNTY OF SAN FRANCISCO V.
 19 TERMINALS EQUIPMENT COMPANY, INC., San Francisco Superior Court No.
 20 927-015. The City took possession of the property on December 1,
 21 1991, pursuant to the order of the San Francisco Superior Court.

22 Section 2. The City Attorney is hereby authorized to settle
 23 CITY AND COUNTY OF SAN FRANCISCO V. TERMINALS EQUIPMENT COMPANY,
 24 INC., San Francisco Superior Court No. 927-015, by the payment of a
 25 total of \$7,500,000 plus interest on that sum at a six percent

BOARD OF SUPERVISORS

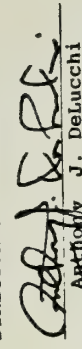
PAGE 1 OF 2

annual rate from December 1, 1991 until paid.

APPROVED AS TO FORM
AND RECOMMENDED:LOUISE H. RENNE
City Attorney

 Deputy City Attorney

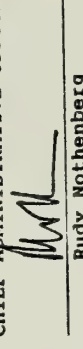
RECOMMENDED:

DIRECTOR OF PROPERTY


 Anthony J. DeLucchi

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

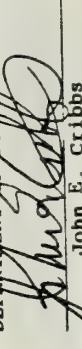

 Rudy Nothenberg

PUBLIC UTILITIES COMMISSION

 Select Sys. Improv Proj-Exp. 06 504
 90 06 00 500445 20-2030 547 60

Thomas J. Elzey

DEPARTMENT OF PUBLIC WORKS


 John E. Cribbs

CONTROLLER

JUL 16 1992

09303/6-7

BOARD OF SUPERVISORS

PAGE 2 OF 2

DOCUMENTS DEPT.

AUG 05 1992

SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading

July 13, 1992

Ayes: Supervisors Gonzalez Hallinan
Hsieh Kennedy Maher Shelley
Absent: Supervisors Achtenberg
Alloto Brito Conroy Migden

Finally Passed

July 20, 1992

Ayes: Supervisors Achtenberg Alloto
Brito Conroy Gonzalez Hallinan
Hsieh Kennedy Maher Shelley
Absent: Supervisor Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco


Clerk

JUL 24 1992
Date Approved


Mayor

File No.
45-92-34

RO #92026

(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF LITIGATION OF HERBERT R. ODOM AND
JEAN ODOM AGAINST THE CITY AND COUNTY OF SAN FRANCISCO, WILLIAM
OTOSHI, ET AL. SUPERIOR COURT NO. 935-209 FOR \$8,000.

Be it ordained by the People of the City and County of San
Francisco:

Section 1. The City Attorney is hereby authorized to
settle the action entitled "Herbert R. Odom and Jean Odom v. City
and County of San Francisco, William Otoshi, et al." Superior
Court No. 935-209, by the payment of \$8,000.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

RECOMMENDED:
DEPARTMENT OF PARKING AND TRAFFIC

TIMOTHY ROBINSON
Acting Director

KIMBERLY RENLEY CLEMENT
Chief Trial Deputy

APPROVED:
PARKING AND TRAFFIC COMMISSION

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 36
310177 1450 \$8,000.00

JUL 24 1992

0685N

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed
July 13, 1992 \$ July 20, 1992 \$

Ayes: Supervisors Gonzalez Hallinan \$
Hsieh Kennedy Maher Shelley \$

Ayes: Supervisors Achtenberg Alioto \$
Britt Conroy Gonzalez Hallinan \$
Hsieh Kennedy Maher Shelley \$

Absent: Supervisors Achtenberg \$
Alioto Britt Conroy Migden \$

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

JUL 24 1992

Clerk

File No.
45-92-35

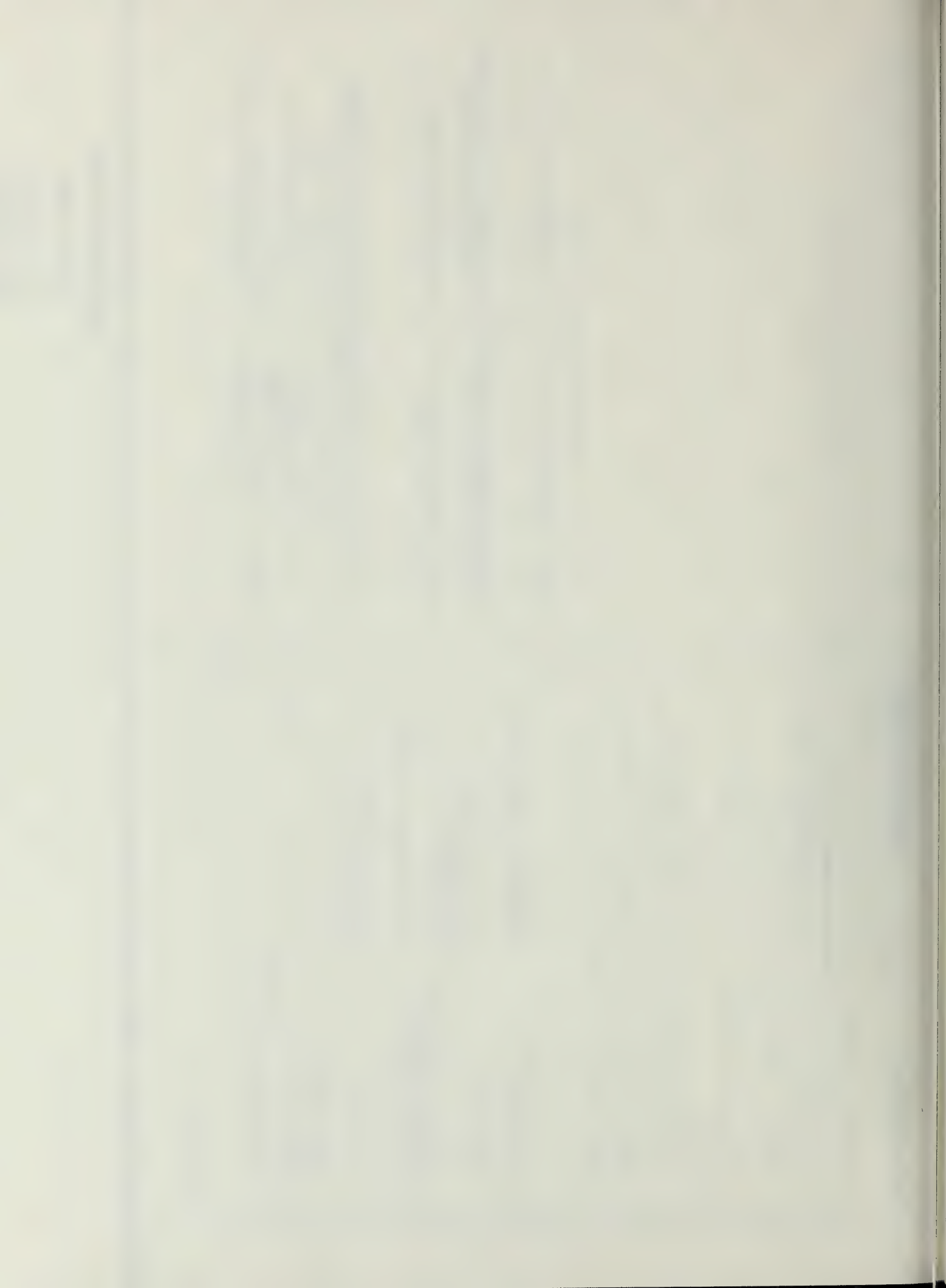
Date Approved

Mayor

DOCUMENTS DEPT.

AUG 05 1992

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1 [SETTLEMENT OF LAWSUIT]

2 AUTHORIZING SETTLEMENT OF LITIGATION OF SHERRY WALKER AND NANCY

3 AMAYA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for \$60,082.

4

5 Be it ordained by the People of the City and County of San

6 Francisco:

7 The City Attorney is hereby authorized to settle the action

8 entitled "SHERRY WALKER AND NANCY AMAYA v. CITY AND COUNTY OF SAN

9 FRANCISCO, ET AL." United States District Court No. C91-0566 BAC,

10 by the payment of \$60,082.

11

12

13

14 APPROVED AS TO FORM

15 AND RECOMMENDED:

16 LOUISE H. RENNE
City Attorney

17

18 By Kimberly Clement
KIMBERLY CLEMENT
Chief Trial DeputyTHOMAS MURPHY
Acting Chief of Police

19

20 FUNDS AVAILABLE:

21 01 001 97 09 38

22 39781 1450 \$60,082.00

23 Edw. Harrington
EDWARD HARRINGTON
Comptroller

JUL 24 1992

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed

July 13, 1992 \$ July 20, 1992

Ayes: Supervisors Achtenberg, Alioto

Britt, Conroy, Gonzalez, Hallinan

Hsieh, Kennedy, Maher, Shelley

Absent: Supervisor Migden

Alioto, Britt, Conroy, Migden

\$

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

Clerk

JUL 24 1992

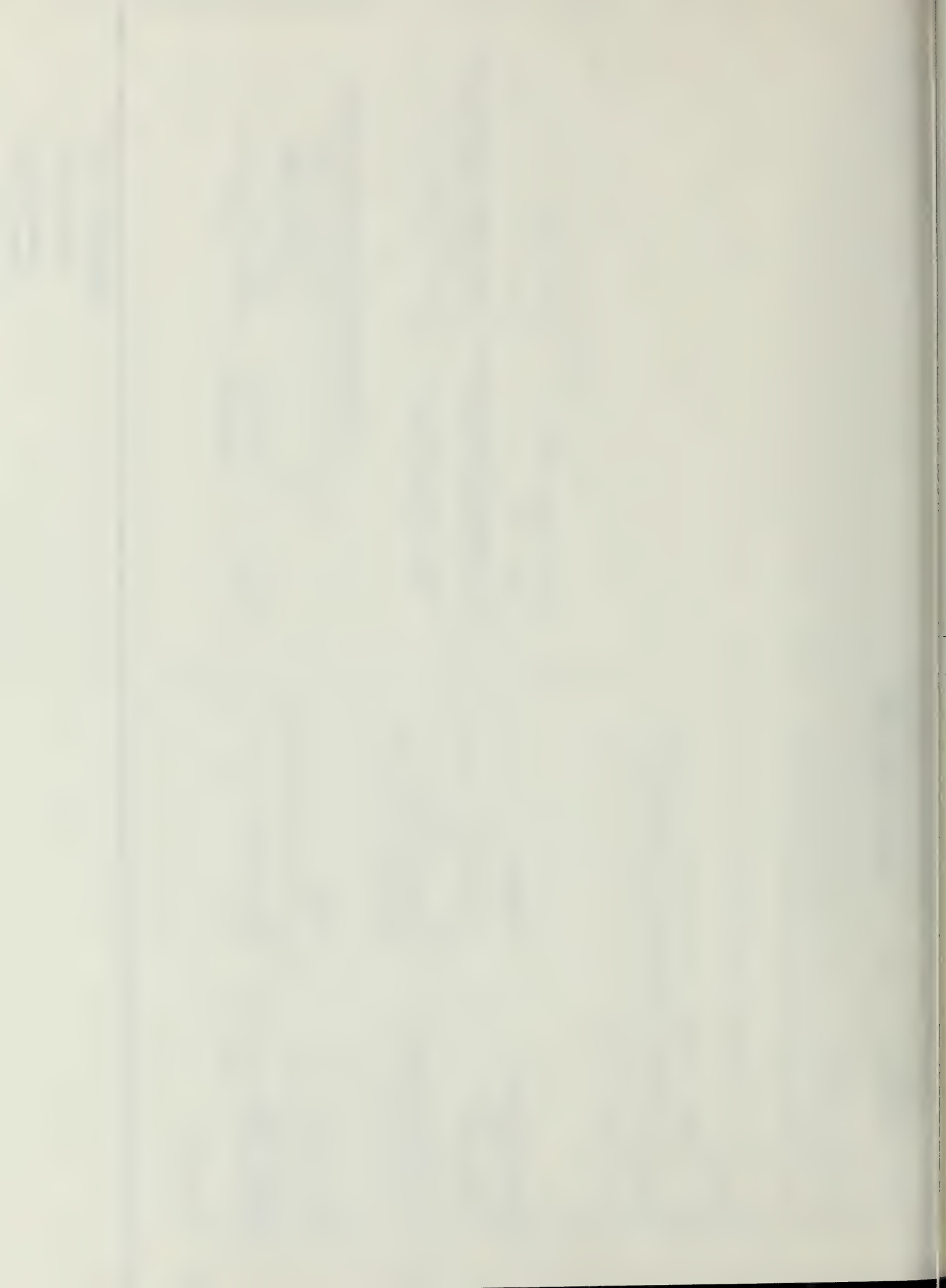
File No.
45-92-36

Date Approved

DOCUMENTS DEPT.

AUG 05 1992

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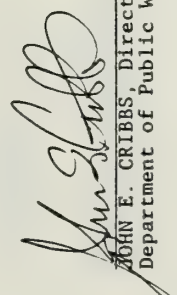
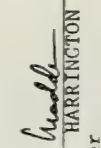
1 [SETTLEMENT OF LAWSUIT]

2 AUTHORIZING SETTLEMENT OF LITIGATION OF SHOU WONG AGAINST THE CITY
3 AND COUNTY OF SAN FRANCISCO FOR \$14,500.4
5 Be it ordained by the People of the City and County of San

6 Francisco:

7 Section I. The City Attorney is hereby authorized to settle
8 the action entitled "SHOW WONG v. CITY AND COUNTY OF SAN FRANCISCO,
9 et al.," Superior Court No. 912-725, by the payment of \$14,500.10
11 APPROVED AS TO FORM
12 AND RECOMMENDED:13 LOUISE H. RENNE
14 City Attorney

RECOMMENDED:

15 
16 KIMBERLY RILEY CLEMENT
17 Chief Trial Deputy
JOHN E. CRIGGS, Director
Department of Public Works18
19 FUNDS AVAILABLE:20 
21 EDWARD M. HARRINGTON
22 Controller23 01 001 97 09 90
24 309674 1450 \$14,500.00

25 JUL 24 1992

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed
July 13, 1992 \$ July 20, 1992 \$Ayes: Supervisors Gonzalez Hallinan \$
Hsieh Kennedy Maher Shelley \$\$ Ayes: Supervisors Achtenberg Alioto
Britt Conroy Gonzalez Hallinan
Hsieh Kennedy Maher ShelleyAbsent: Supervisors Achtenberg \$
Alioto Britt Conroy Migden \$

\$ Absent: Supervisor Migden \$

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

JUL 24 1992

Clerk

File No.
45-92-37

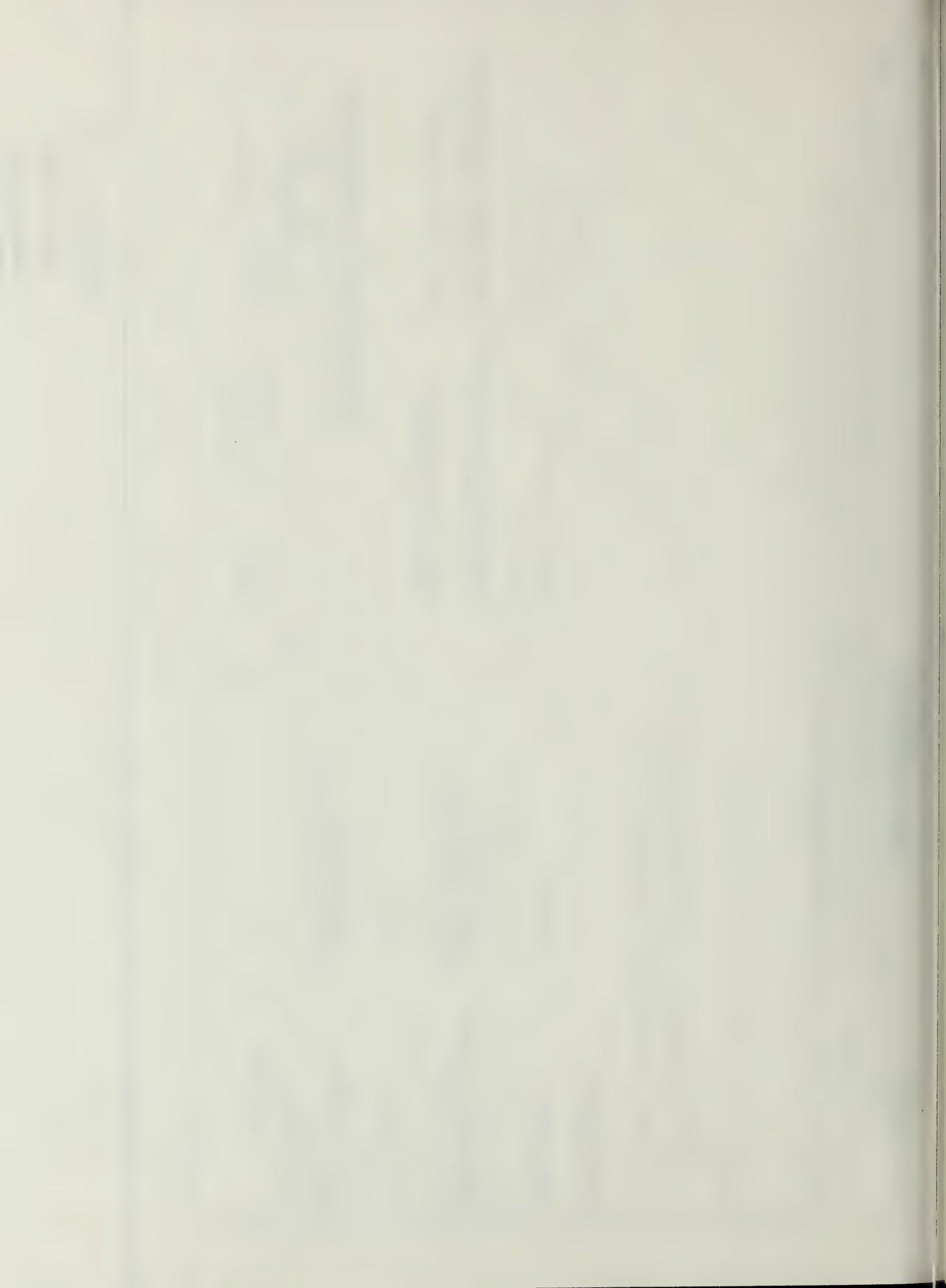
Date Approved

Mayor

DOCUMENTS DEPT.

AUG 05 1992

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PUBLIC LIBRARY



(SETTLEMENT OF LAWSUIT)
AUTHORIZING SETTLEMENT OF LITIGATION OF HELEN SIMON AGAINST THE
CITY AND COUNTY OF SAN FRANCISCO, ET AL. SUPERIOR COURT NO.
936-815 FOR \$14,000.
Be it ordained by the People of the City and County of San
Francisco:
Section 1. The City Attorney is hereby authorized to
settle the action entitled "Helen Simon v. City and County of San
Francisco, et al." Superior Court No. 936-815, by the payment of
\$14,000.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

RECOMMENDED:
DEPARTMENT OF HEALTH

RAYMOND BAXTER, P. H.D.

APPROVED:
HEALTH COMMISSION SECRETARY

Andy Ouyang

FUNDS AVAILABLE:

01 001 97 09 85
309823 1450 \$14,000.00

JUN 24 1992

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed

July 13, 1992 \$ July 20, 1992 \$

Ayes: Supervisors Gonzalez Hallinan \$
Hsieh Kennedy Maher Shelley \$

Ayes: Supervisors Achtenberg Alioto \$
Britt Conroy Gonzalez Hallinan \$
Hsieh Kennedy Maher Shelley \$

Absent: Supervisors Achtenberg \$
Alioto Britt Conroy Migden \$

Absent: Supervisor Migden \$

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

JUL 24 1992

Clerk

Mayor

File No.
45-92-38

Date Approved

DOCUMENTS DEPT.

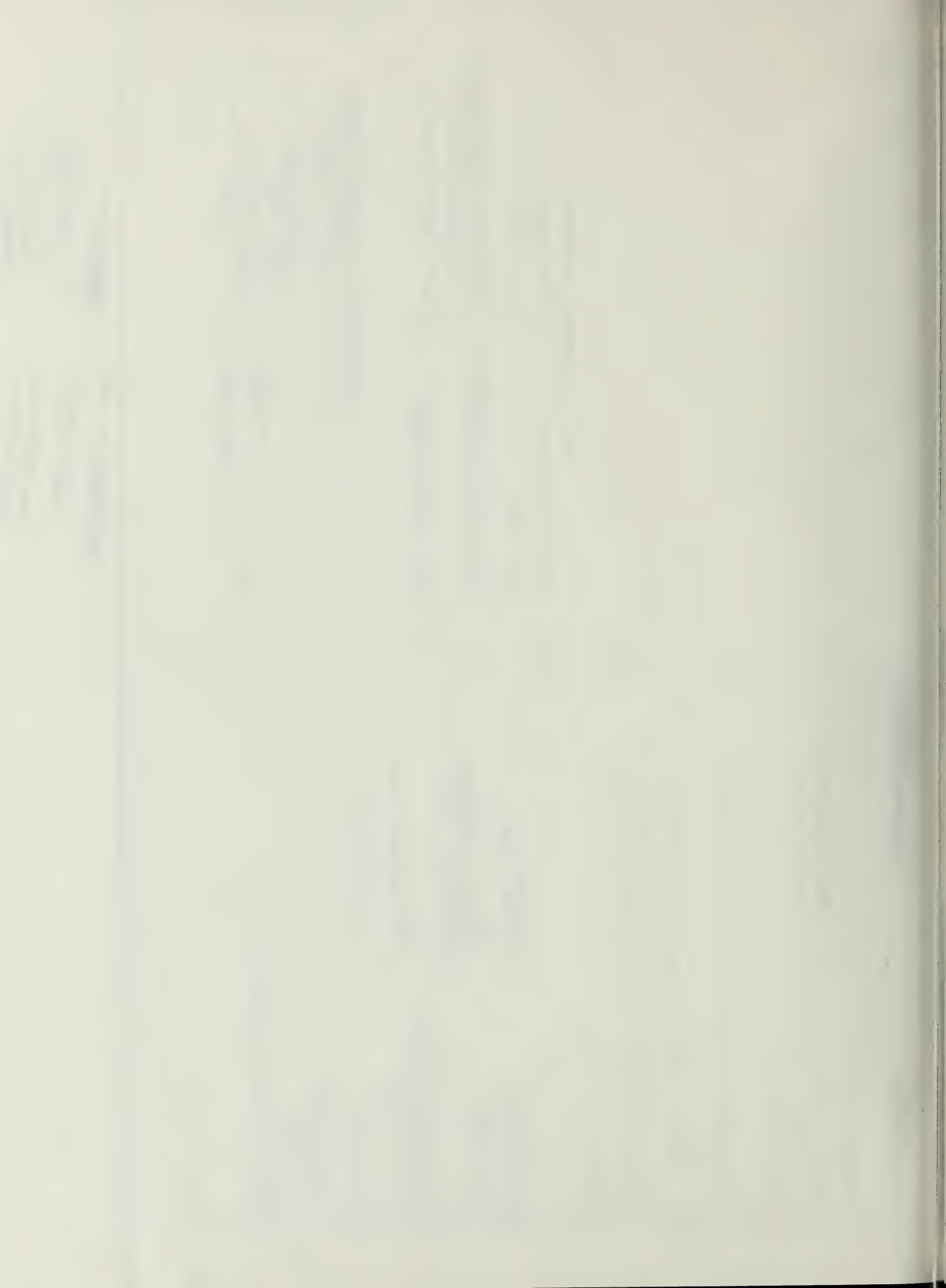
AUG 05 1992

DOCUMENTS

AUG 05 1992

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PUBLIC LIBRARY

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PUBLIC LIBRARY



1 [Settlement of Lawsuit]

2 AUTHORIZING SETTLEMENT OF LITIGATION OF CITY AND COUNTY OF SAN
3 FRANCISCO AGAINST THE STATE OF CALIFORNIA, NOS. 892-764; 900-689;
4 901-100; 910-062; 911-406; 913-858; 904-334; 918-198 for \$190,000.

5
6 Be it ordained by the People of the City and County of San Francisco:

7
8 Section 1. The City Attorney is hereby authorized to settle the
9 action entitled "CITY AND COUNTY OF SAN FRANCISCO v. STATE OF
10 CALIFORNIA", Superior Court Nos. 892-764; 900-689; 901-100; 910-062;
11 911-406; 913-858; 904-334; 918-198 by receiving payment of \$190,000.

12
13 APPROVED AS TO FORM:

RECOMMENDED:

14 LOUISE H. RENNE, City Attorney

DEPARTMENT OF HEALTH

15 By: Paula Jesson
16 Deputy City Attorney

Raymond Baxter
17 RAYMOND BAXTER, Ph.D., Director

18
19 APPROVED:

HEALTH DEPARTMENT COMMISSION

Louise Renee
20 Secretary

21 30669

22 BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed

July 13, 1992 \$ July 20, 1992

Ayes: Supervisors Gonzalez Hallinan \$
Hsieh Kennedy Maher Shelley \$

Ayes: Supervisors Achtenberg Alioto
Britt Conroy Gonzalez Hallinan
Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg \$
Alioto Britt Conroy Migden \$

Absent: Supervisor Migden \$

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

(JUL 24 1992)

Clerk

Date Approved

File No.
46-92-9

DOCUMENTS DEPT.

AUG 05 1992

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1 (Settlement of Litigation)

2 AUTHORIZED SETTLEMENT OF LITIGATION OF CITY AND COUNTY OF SAN
3 FRANCISCO AGAINST VICTORIA A. ESMAS FOR \$14,500.00 TO BE PAID TO
4 THE GENERAL FUND.

5 BE IT ORDAINED by the People of the City and County of San
6 Francisco:

7 Section 1. The City Attorney is hereby authorized and
8 directed to settle Superior Court Action No. 929-386, entitled
9 "City and County of San Francisco v. Victoria A. Esmas, et al."
10 by the Payment by the defendants to the City and County of San
11 Francisco of \$12,500.00 to be paid to the General Fund.

12 APPROVED AS TO FORM
13 AND RECOMMENDED:

14 LOUISE H. REILLY
15 City Attorney

16 By Kimberly R. Clement
17 KIMBERLY R. CLEMENT
18 Chief Trial Deputy

RECOMMENDED:

POLICE DEPARTMENT

Thomas Murphy
THOMAS MURPHY
Chief

APPROVED:

POLICE COMMISSION

Barbara
Secretary

08121

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed

July 13, 1992 \$ July 20, 1992

Ayes: Supervisors Gonzalez Hallinan \$
Hsieh Kennedy Maher Shelley \$

\$ Ayes: Supervisors Achtenberg Alioto
Britt Conroy Gonzalez Hallinan
Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg \$
Alioto Britt Conroy Migden \$

\$ Absent: Supervisor Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

John Taylor
Clerk

David M. Jordan
Mayor

File No.
46-92-10

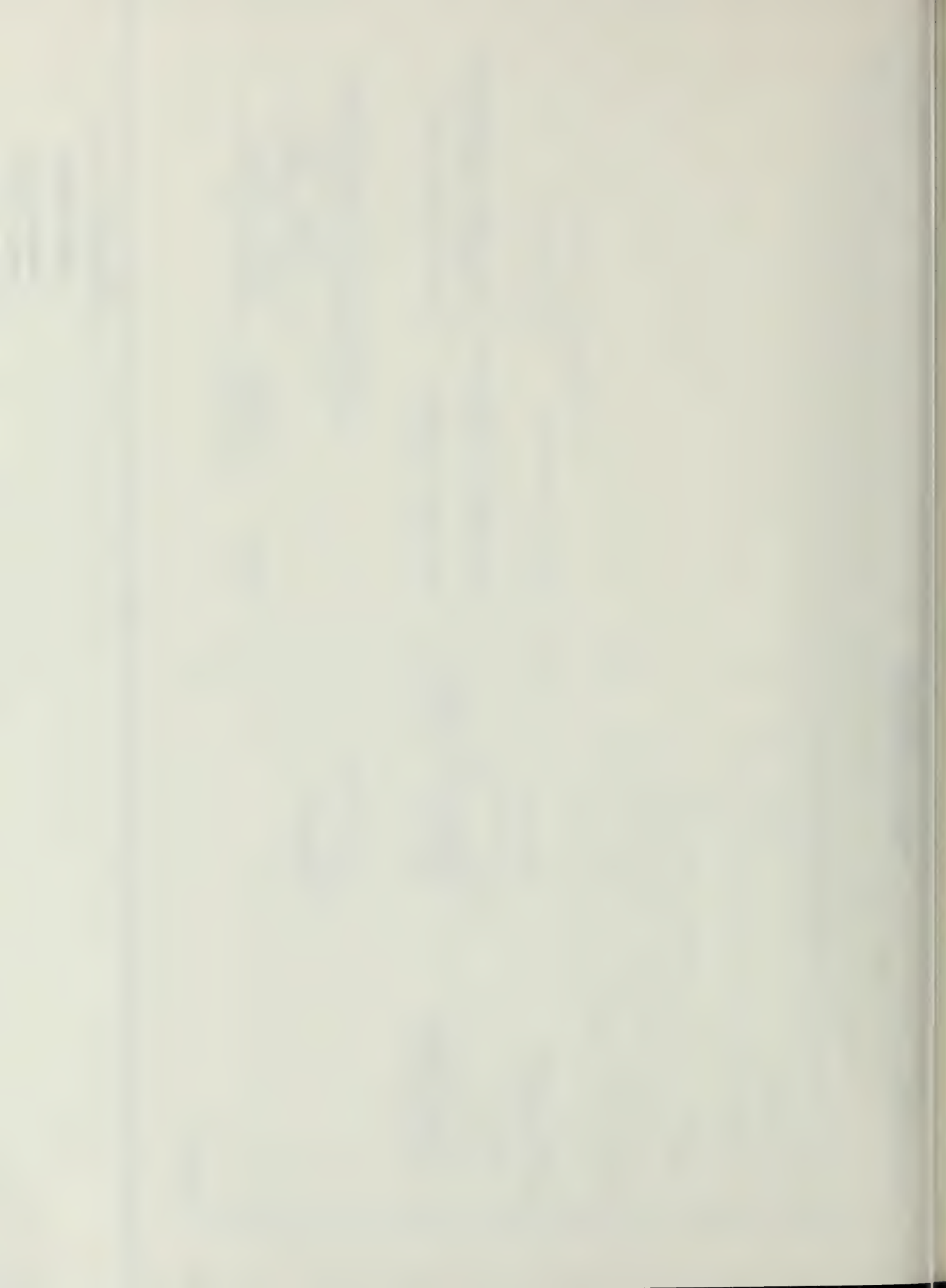
JUL 24 1992

Date Approved

DOCUMENTS DEPT.

AUG 05 1992

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ORIGINAL

(AMENDMENT TO LEASE)

APPROVING SECOND AMENDMENT TO LEASE BETWEEN MISSION CREEK
HARBOR ASSOCIATION AND THE CITY AND COUNTY OF SAN FRANCISCO,
OPERATING BY AND THROUGH THE SAN FRANCISCO PORT COMMISSION

Be it ordained by the People of the City and County of
San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter
of the City and County of San Francisco, the Board of
Supervisors hereby approves the Second Lease agreement between
Mission Creek Harbor Association and the Port of San Francisco
and authorizes the Executive director of the Port to execute
the same on behalf of the Port. A copy of the Second
Amendment and the original lease is attached and contained in
Board of Supervisor's file number 65-92-9.

APPROVED AS TO FORM:

Louise Renne
City Attorney

BY:

BOARD OF SUPERVISORS
Port of San Francisco

Board of Supervisors, San Francisco

Passed for Second Reading

July 13, 1992

§ Finally Passed

§ July 20, 1992

Ayes: Supervisors Gonzalez Hallinan §
Hsieh Kennedy Maher Shelley §

Ayes: Supervisors Achtenberg Alioto §
Britt Conroy Gonzalez Hallinan §
Hsieh Kennedy Maher Shelley §

Absent: Supervisors Achtenberg §
Alioto Britt Conroy Migden §

Absent: Supervisor Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco.

Louise Renne
City Attorney

BY:

JUL 24 1992

Date Approved

File No.
65-92-9

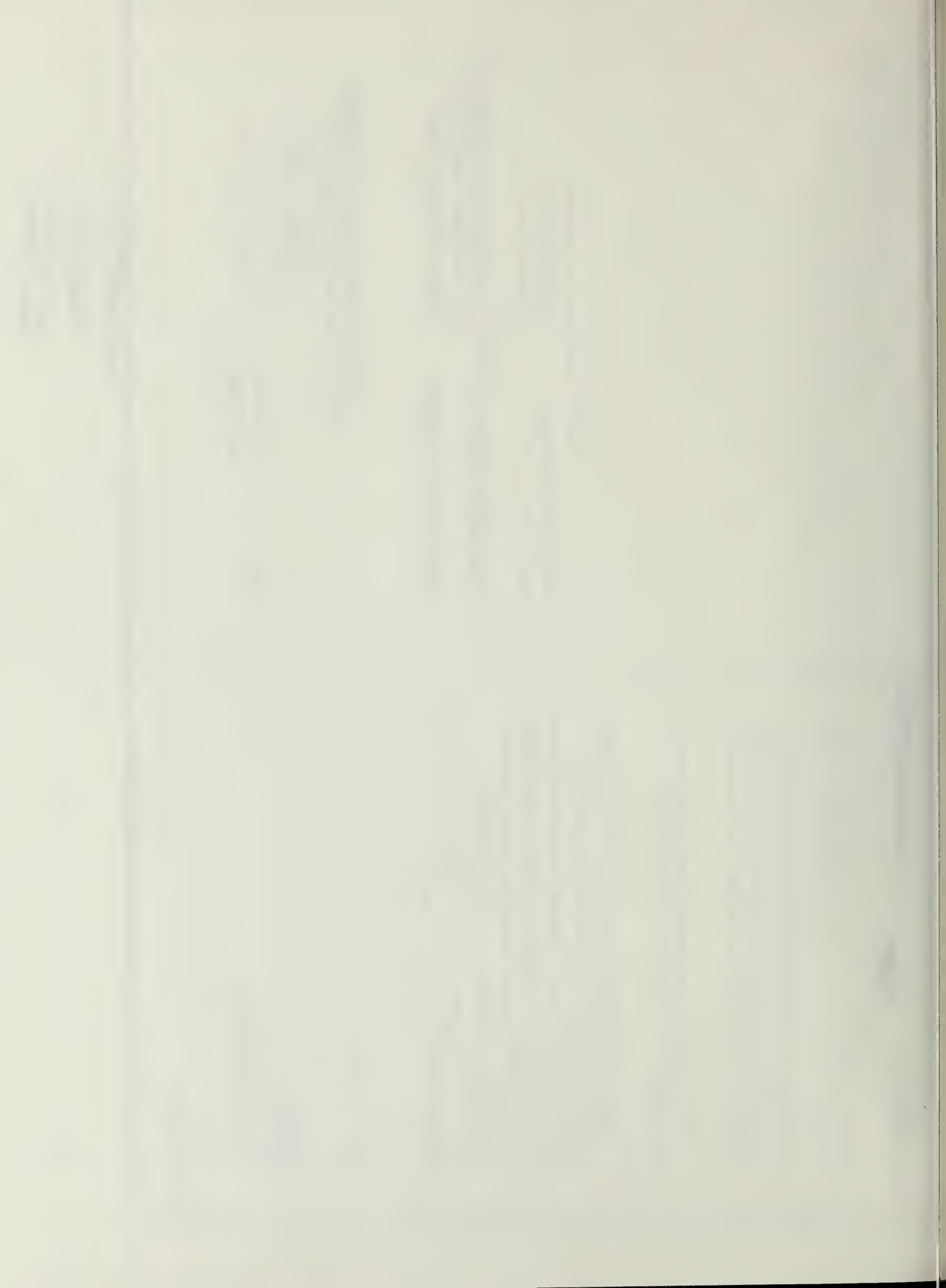
Clerk

Mayor

DOCUMENTS DEPT.

AUG 05 1992

SAN FRANCISCO
PUBLIC LIBRARY



1 [Sublease of Property]

2 AUTHORIZING AND APPROVING SUBLEASE OF CITY-OWNED PROPERTY AT 25
3 VAN NESS AVENUE, PORTION OF FIRST FLOOR (LOT 4, BLOCK 834) TO THE
4 VETERANS ADMINISTRATION, COMMENCING AUGUST 1, 1992.
5
6

7 Be It Ordained by the People of the City and County of San Francisco:

8 Section 1. In accordance with the recommendation of the Director of Property, the
9 Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San
10 Francisco, a municipal corporation, as Sublessor, are hereby authorized and directed to execute
11 a 5-year sublease commencing August 1, 1992 with the Veterans Administration, for rental space
12 located on a portion of the First Floor, 25 Van Ness Avenue, to be used as a Veterans Outreach
13 and Counseling Center.
14

15 Section 2. The Director of Property is hereby authorized and directed to prepare said
16 sublease subject to the terms and conditions on file with the Clerk of the Board of Supervisors
17 and with approval as to form by the City Attorney.
18

19 RECOMMENDED:

20 APPROVED AS TO FORM:
21 LOUISE H. RENNE, City Attorney

22 *[Signature]*
23 Director of Property

24 AID 14
25 C:\WP51\DATA\VA131.LEO

26 (Real Estate)
27
28

Adopted - Board of Supervisors, San Francisco July 20, 1992

Ayes: Supervisors Achttenberg Alioto Britt Conroy Gonzalez Hallinan
Haieh Kennedy Maher Shelley

Absent: Supervisor Migden

I hereby certify that the foregoing resolution
was adopted by the Board of Supervisors
of the City and County of San Francisco

File No.
65-92-10

JUL 24 1992

Date Approved

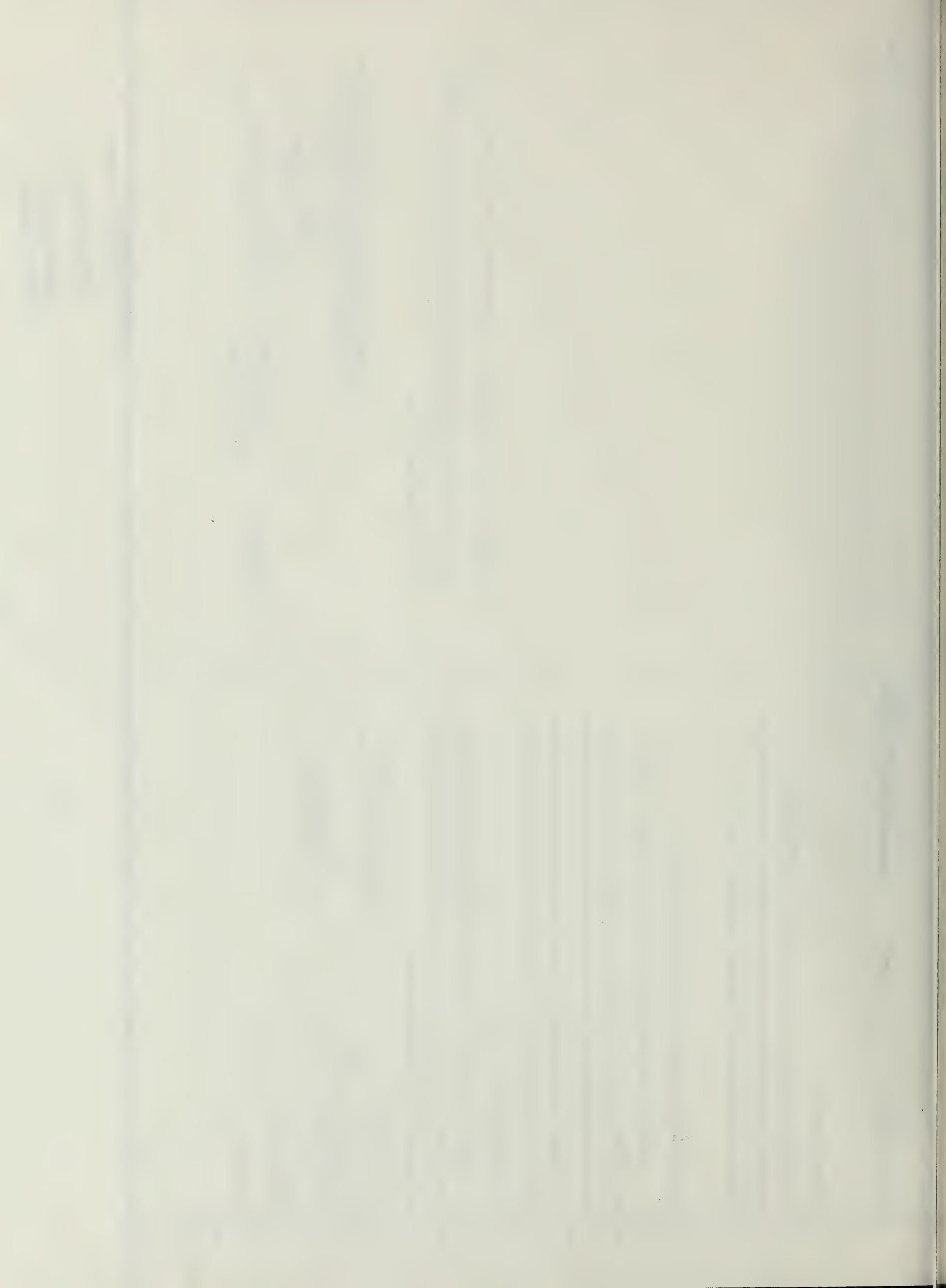
Clerk

Mayor

DOCUMENTS DEPT.

AUG 05 1992

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PUBLIC LIBRARY



1 [Sale of Surplus Property]

2 AUTHORIZING THE SALE OF SURPLUS CITY-OWNED PROPERTY TO MISSION
3 HOUSING DEVELOPMENT CORPORATION; AND TO ADOPT FINDINGS PURSUANT
4 TO PLANNING CODE SECTION 101.1.
5
6

7 Section 1. In accordance with the recommendation of the Police Commission, the Chief
8 of Police and the Director of Property, the City proposes to sell the excess portion of the new
9 Mission Police Station site (a portion of Assessor's Block 3577) to Mission Housing
10 Development Corporation, a non-profit corporation, for development of 50 units of low-income
11 senior housing.
12

13 Section 2. The property to be sold is excess to the needs of the Police Department and
14 consists of a 3-unit residential building and approximately 19,878 square feet of land area. The
15 sales price, in the amount of \$971,904.00, represents the fair market value of the property as
16 determined by the Director of Property.
17

18 Section 3. The Board of Supervisors adopts as its own and incorporates by reference
19 herein, as though fully set forth, the findings made by the Department of City Planning in its
20 letter dated October 7, 1991, a copy of which is on file with the Clerk of the Board of
21 Supervisors, reporting that the proposed sale is in conformity with the Master Plan and
22 consistent with the eight priority policies of Planning Code Section 101.1.
23
24

25 (Real Estate)
26
27
28

Section 4. The Mayor and Clerk of the Board of Supervisors are hereby authorized to
execute a deed conveying the property to Mission Housing Development Corporation.

RECOMMENDED:

Chief of Police

Pursuant to Police Commission
Resolution No. 173-91

Director of Property

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

Deputy City Attorney

LINK
C:\WP51\DATA\3164971.100

RECAP FINDINGS

Board of Supervisors, San Francisco

Passed for Second Reading

§ Finally Passed

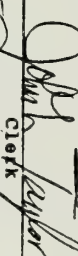
July 13, 1992

§ July 20, 1992

Ayes: Supervisors Britt Conroy
Gonzalez Hallinan Helen Kennedy
Maher Shelley
Absent: Supervisors Achtenberg
Alloto Migden

§ Ayes: Supervisors Achtenberg Alloto
Britt Conroy Gonzalez Hallinan
Helen Kennedy Maher Shelley
§ Absent: Supervisor Migden
§

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco


Clerk

JUL 24 1992

Date Approved


Mayor

File No.
96-92-6

1 (Treasurer/Tax Collector)
 2 AN ORDINANCE AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY
 3 AMENDING SECTIONS 16.6-22 AND 16.6-33 THEREOF, ADDING SIX AND
 4 DELETING FOUR ORGANIZATIONS REPRESENTED BY THE DEPARTMENT OF
 5 TREASURER/TAX COLLECTOR.

6 Note: Additions are underlined; deletions are indicated
 7 by ((double parenthesis)).

8
 9 Be it ordained by the people of the City and County of San
 10 Francisco:

11 Section 1. Chapter 16 of the San Francisco Administrative Code
 12 is hereby amended by amending Sections 16.6-22 and 16.6-33, to read
 13 as follows:

14 Section 16.6-22. REPRESENTATION OF CITY AND COUNTY IN CERTAIN
 15 ORGANIZATIONS - TREASURER/TAX COLLECTOR.

16 ((State Association of County Treasurers.))
 17 ((California Inheritance Tax Appraisers Association.))
 18 California Municipal Treasurers' Association.
 19 Government Finance Officers' Association. Associate Member.
 20 California Assoc. of County Treasurers and Tax Collectors.
 21 California Municipal Business Tax Association.
 22 California County Association of Revenue and Reimbursement
 23 Officers.
 24 International Organization of Wang Users.
 25

BOARD OF SUPERVISORS

1 Section 16.6-33. REPRESENTATION OF CITY AND COUNTY IN CERTAIN
 2 ORGANIZATIONS - FINANCE AND RECORDS.
 3 ((County Tax Collectors' Association of California.))
 4 County Clerks' Association.
 5 Recorders' Association.
 6 Public Administrators' Association of California.
 7 Society of American Archivists.
 8 American Records Management Association.
 9 ((California Municipal Bus. Tax Assn.))

RECOMMENDED BY:

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

13 Mary I. Callanan
 14
 15 MARY I. CALLANAN
 16 TREASURER

Robbie R. Selley
 17
 18
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 22
 23
 24
 25

Page 2

BOARD OF SUPERVISORS

DOCUMENTS DEPT.

AUG 05 1992

SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading

§ Finally Passed

July 13, 1992

§ July 20, 1992

Ayes: Supervisors Britt Conroy
Gonzalez Hallinan Helen Kennedy
Maher Shelley

Absent: Supervisors Achtenberg
Alloto Migden

§ Ayes: Supervisors Achtenberg Alloto
Britt Conroy Gonzalez Hallinan
Helen Kennedy Maher Shelley

§ Absent: Supervisor Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

John Taylor
Clerk

File No.
97-92-25.2

JUL 24 1992

Date Approved

Edward J. Gahan
Mayor

1 [MEMBERSHIPS - BOARD OF SUPERVISORS]

2 AMENDING CHAPTER 16, ARTICLE I, OF THE SAN FRANCISCO ADMINISTRATIVE
3 CODE BY AMENDING SECTION 16.6-1, TO CORRECT THE NAME CHANGES OF
4 CERTAIN ORGANIZATIONS IN WHICH THE BOARD OF SUPERVISORS PROVIDES
5 REPRESENTATION FOR THE CITY AND COUNTY OF SAN FRANCISCO.

6
7 NOTE: Additions or substitutions are underlined ;
8 deletions are in ((double parentheses)).

9 Be it ordained by the People of the City and County of San Francisco:

10
11 Section 1. Chapter 16, Article I, of the San Francisco
12 Administrative Code is hereby amended by amending Section 16.6-1
13 thereof, to read as follows:

14
15 SEC. 16.6-1. REPRESENTATION OF CITY AND COUNTY IN CERTAIN
16 ORGANIZATIONS -- BOARD OF SUPERVISORS.

17 ((County Supervisors Association of California))

18 California State Association of Counties.

19 National Association of Counties.

20 International Institute of Municipal Clerks.

21 National League of Cities.

22 California Clerks of the Board of Supervisors Association.

23 Municipal Finance Officers Association.

24 Bay Area Coalition for Transportation.

25 Black American Political Association of California.

CLERK OF THE BOARD OF SUPERVISORS
2775g

BOARD OF SUPERVISORS

PAGE NO. 1
05/08/92

1 California Elected Women's Association for Education and
2 Research.

3 International City Management Association.

4 International Society of Wang Users.

5 Local Government Commission.

6 ((National Association of Black County Officials (NABCO).))

7 National Organization of Black County Officials.

8 National Association of Telecommunication Officers and Advisors.

9 National Federation of Local Cable Programmers.

10 North Coastal Counties Supervisors Association.

11 APPROVED AS TO FORM:

12 LOUISE H. RENNE, City Attorney

13

14 By: Thelma P. Soley
15 Deputy City Attorney

16
17
18
19
20
21
22
23
24
25 CLERK OF THE BOARD OF SUPERVISORS
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BOARD OF SUPERVISORS

PAGE NO. 2
05/08/92

DOCUMENTS

AUG 05 1992

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Board of Supervisors, San Francisco

Passed for Second Reading

July 13, 1992

Ayes: Supervisors Britt Conroy
Gonzalez Hallinan Helen Kennedy
Maher Shelley
Absent: Supervisors Achtenberg
Alloto Migden

July 20, 1992

Ayes: Supervisors Achtenberg Alloto
Britt Conroy Gonzalez Hallinan
Helen Kennedy Maher Shelley
Absent: Supervisor Migden

Finally Passed

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

File No.
97-92-25.3

JUL 24 1992
Date Approved

John Taylor
Clerk
Richard A. Puri
Mayor

1 (Street Closure Fees)

2 AMENDING CHAPTER 2, ARTICLE VIII, SAN FRANCISCO ADMINISTRATIVE CODE
3 (TEMPORARY USE OR OCCUPANCY OF PUBLIC STREETS), BY AMENDING SECTION
4 2.70-1 THEREOF, TO INCREASE THE APPLICATION FEE FOR TEMPORARY USE OR
5 OCCUPANCY OF PUBLIC STREETS FROM FORTY DOLLARS TO EIGHTY DOLLARS.

6
7 Note: Additions or substitutions are underlined;
8 deletions are in ((double parentheses)).

9
10 Be it ordained by the people of the City and County of San Francisco:

11 Section 1. Chapter 2, Article VIII, of the San Francisco
12 Administrative Code (Temporary Use or Occupancy of Public Streets)
13 is hereby amended by amending Section 2.70-1 thereof to read as
14 follows:

15 SEC. 2.70-1. REQUEST FOR PERMISSION FOR TEMPORARY USE OR
16 OCCUPANCY OF PUBLIC STREETS; PROCEDURE.

17 (a) Any person seeking permission for the temporary use or
18 occupancy of a public street within the City and County shall file
19 an application with the Director of the Department of Public Works,
20 on a form provided by said Director, and shall pay a filing fee of
21 ((\$40)) \$80 not less than 60 days prior to the date of said proposed
22 temporary use or occupancy. The completed application shall
23 include, when applicable, maps and/or drawings which identify the
24 streets that would be affected, describe the scope and design of the
25 event, including illustrations of the location of staging, food

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BOARD OF SUPERVISORS

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1 booths, seating, and a diagram of an emergency access plan. In
2 addition, the Director may request such additional information as is
3 necessary to allow ISCOTT to make an informed evaluation of the
4 proposed temporary use or street occupancy.

5 Applicants shall be responsible for posting notice of the
6 public hearing at least seven days prior to the hearing at which the
7 application will be reviewed by ISCOTT. Such notice shall include a
8 description of the streets that would be affected and shall be
9 posted in the area of the proposed temporary use or street occupancy
10 according to rules and regulations prescribed by the Department of
11 Public Works. A declaration under penalty of perjury shall be
12 submitted to the Department of Public Works by the applicant
13 attesting that the required public notices have been posted.

14 Upon receipt, the Director shall refer such a request to
15 ISCOTT for its review and approval, or disapproval.

16 (b) ISCOTT Review and Approval Process. In reviewing an
17 application, ISCOTT shall: Consider the impact of the temporary use
18 or occupancy of public streets on the traffic, security, health, and
19 safety of the public; determine the traffic, security, health, and
20 safety requirements of the proposed temporary use or occupancy; and
21 evaluate the measures proposed by the applicant to satisfy those
22 requirements. It shall be the duty of ISCOTT to also consider the
23 following:

24 ///

25 ///

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1. Demonstrated ability of the applicant to comply with requirements necessary to protect the safety, health, and welfare of the public.

2. Duration of the temporary use or street occupancy and the City's ability to accommodate such use or occupancy with the necessary resources.

3. Overextension of the City's resources because of previously approved temporary use or occupancy of public streets or activities that could cause scheduling conflicts during the same period.

4. The availability of an appropriate emergency access plan.

The ISCOTT committee may impose additional requirements or conditions it deems necessary to protect the public interest by ensuring traffic management, security of property and health and safety of citizens. At the time ISCOTT reviews the application, it shall also determine the necessity of and the total estimated actual costs incurred by the Municipal Railway to run motor coaches to accommodate the rerouting of electrically powered transit vehicles because of restrictions which are imposed by the temporary street closing. The applicant shall pay a fee to the Municipal Railway which is calculated at the rate of \$4.42 per electrically powered vehicle hour per line affected. For purposes of this provision, "vehicle hour" shall mean the number of hours each coach on a line is in operation during the day of the street closing. If the application is approved, the General Manager of the Municipal

Railway shall transmit to the applicant an invoice for the fee. The applicant shall make full payment of the fee no later than 10 days prior to the date of the street closing, or in accordance with a schedule agreed to by the General Manager of Municipal Railway. The committee shall not disapprove any application for a temporary use or occupancy of public streets because of the applicant's political, religious, or cultural orientation.

Notice of ISCOTT's action of approval or disapproval shall be submitted to the Board of Supervisors and copies transmitted to the Chief of Police; the Chief of the Fire Department; the Director of Health; the General Manager of the Municipal Railway; and the Director of City Planning within 15 days of the decision and be maintained as a matter of record. The Director of the Department of Public Works shall deem the application approved as submitted, if ISCOTT takes no action to approve or disapprove the application within 30 days of receipt of the application.

(c) Appeals Process. Should the application be disapproved by ISCOTT, the applicant may appeal the decision to the Board of Supervisors. Such appeal shall be made by filing with the Clerk of the Board, on a form provided by the said Clerk of the Board, within 15 days of disapproval. Upon receipt, the Clerk shall set a time and place for hearing such appeal by the Board of Supervisors, which shall be at its next regular meeting in conformance with public notice requirements.

///

At the appeal hearing, the appellant and members of ISCOTT shall have an opportunity to present oral testimony and written materials in support of their positions. The Board shall conduct the hearing according to the same standards of review as set forth in Section 2.70-1(b) hereof. Upon hearing the appeal, and after any further investigation, which the Board may request, the Board may affirm, reverse, or modify the ISCOTT decision.

Any permission for the temporary use or occupancy of a public street authorized pursuant to these provisions shall be subject to the conditions set forth in San Francisco Administrative Code Sections 2.71 and 2.72.

(d) Late Applications. If the application is made less than 60 days prior to the event, permission shall be denied unless the applicant demonstrates to a member of the Board of Supervisors that compliance with the 60-day deadline was impractical or impossible due to the nature of the event. In such case, department representatives of ISCOTT shall be consulted by the Clerk of the Board of Supervisors, and any recommendations expressed by any of the ISCOTT members shall be reported to the Board of Supervisors. The application shall then be considered by the Board of Supervisors without a public hearing by either ISCOTT or a committee of the Board of Supervisors.

LOUISE H. RENNE
City Attorney

By: *Larry Waxyte*
LARRY WAXTE
Deputy City Attorney

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BOARD OF SUPERVISORS

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06/23/92

Board of Supervisors. San Francisco

Passed for Second Reading \$ Finally Passed
July 13, 1992 \$ July 20, 1992

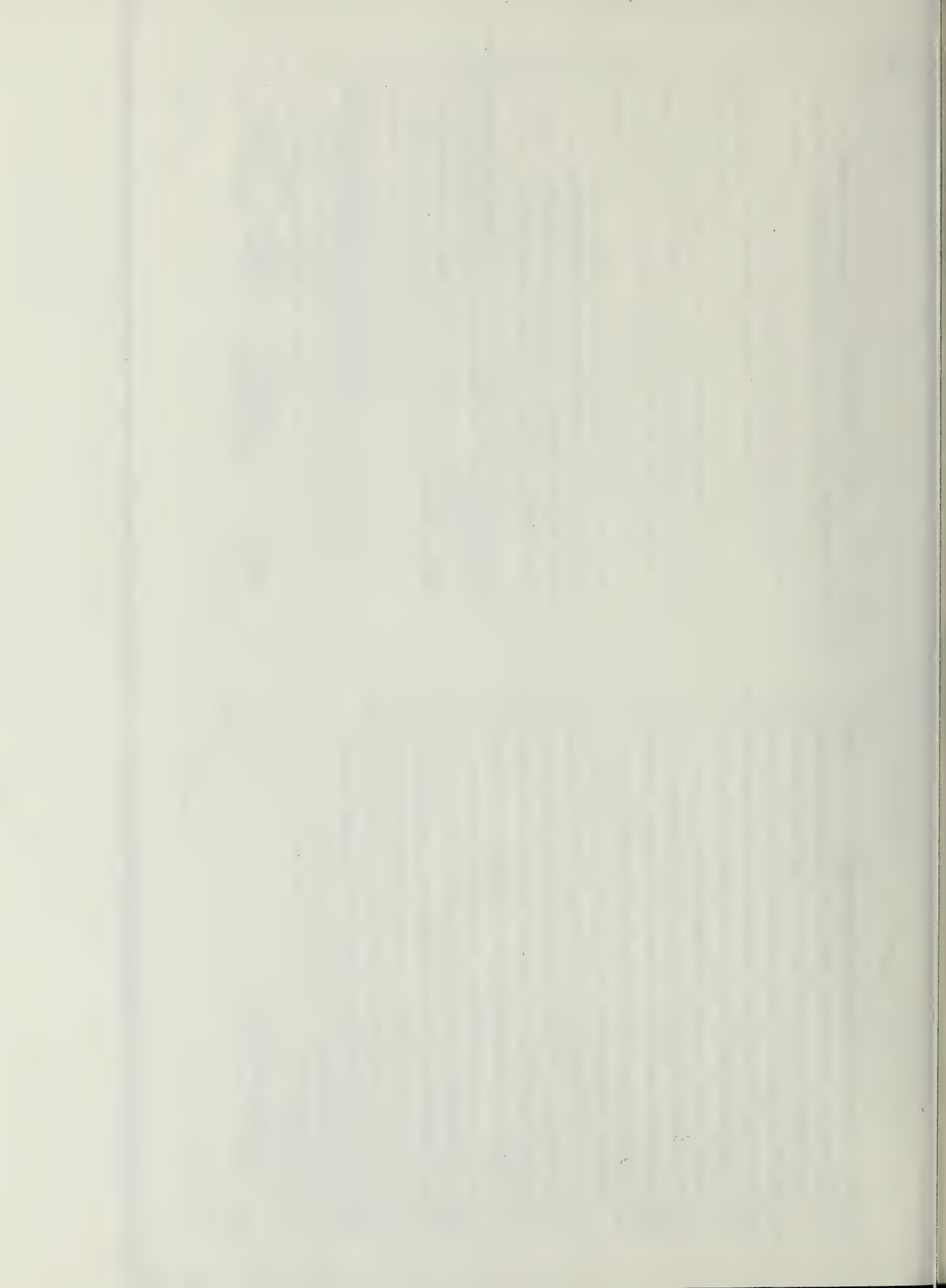
Ayes: Supervisors Britt Conroy \$
Gonzalez Hallinan Hsieh Kennedy \$
Maher Shelley \$
Absent: Supervisors Achtenberg \$
Alioto Migden \$

Ayes: Supervisors Achtenberg Alioto \$
Britt Conroy Gonzalez Hallinan \$
Hsieh Kennedy Maher Shelley \$
Absent: Supervisor Migden \$

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John B. Taylor Clerk
Paul H. J. J. J. Mayor

File No. 97-92-39
JUL 24 1992
Date Approved



1 (Parking Meter Revenue Allocation)

2 AMENDING SECTION 213 OF PART II, CHAPTER XI OF THE SAN FRANCISCO

3 MUNICIPAL CODE (TRAFFIC CODE) TO PROVIDE THAT IN FISCAL YEAR

4 1992-93 THE FIRST \$8.0 MILLION IN PARKING METER REVENUES WILL BE

5 ALLOCATED TO THE GENERAL FUND, AND REVENUES IN EXCESS OF

6 \$8.0 MILLION WILL BE ALLOCATED TO THE OFF-STREET PARKING FUND.

7 [Note: Additions or substitutions are underlined;
8 deletions are indicated by ((double
9 parenthesis)).]

10 Be it ordained by the People of the City and County of

11 San Francisco:

12 Section One. Section 213 of Part II, Chapter XI of the

13 San Francisco Municipal Code (Traffic Code) are hereby amended to

14 read as follows:

15 SEC. 213. USE PARKING METER FUNDS--CREATION OF OFF-STREET

16 PARKING FUND. Coins deposited in parking meters shall be

17 collected by the Tax Collector and deposited in the Treasury of

18 the City and County of San Francisco.

19 All moneys in excess of \$1,500,000 so deposited during any

20 fiscal year shall be credited to a special fund to be known as

21 the "Off-Street Parking Fund," except that commencing with fiscal

22 year 1987-88 all monies in excess of \$3,000,000 so deposited

23 shall be credited to said Off-Street Parking Fund, except that

24 commencing with fiscal year 1988-89 all monies in excess of

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BOARD OF SUPERVISORS

-1-

06/25/92

1 \$6,000,000 so deposited shall be credited to said Off-Street
2 Parking Fund, and except that in fiscal year 1992-93 all monies
3 in excess of \$8,000,000 so deposited shall be credited to the
4 off-street parking fund. All net revenues received from
5 off-street City-owned parking facilities leased by City to
6 private operators, costs of which facilities were paid for them
7 from the Off-Street Parking Fund, and those facilities listed in
8 Subsection (a) below, limited to the period provided in that
9 Subsection (a), also shall be credited to such Off-Street Parking
10 Fund irrespective of whether such facilities are operated with or
11 without meters.

12 Subject to the restrictions provided in this Section and
13 any prior legally binding obligations, said special fund is
14 hereby created for the purpose of financing the San Francisco
15 Off-Street Parking Program, including, but not limited to,
16 capital outlays for the acquiring, constructing, completing and
17 leasing of public parking lots, storage space, garages, single-
18 or multi-level structures, and other off-street parking
19 facilities on, under, or above the surface of any property,
20 including public parks, squares, lands, easements or
21 rights-of-way to be acquired by purchase or condemnation,
22 together with buildings, structures, equipment, approach roads,
23 entrances, exits, fencing, off-street parking meters, and other
24 works, property or structures for the accommodation of automotive
25 vehicles, and necessary or convenient for adequate parking

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06/23/92

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1 facilities to relieve congestion, facilitate, regulate and
2 control traffic within the City and County of San Francisco.

3 Said special fund may also be used to finance the cost of
4 engineering and construction of on-street parking bays in parking
5 meter districts in neighborhood commercial districts, by sidewalk
6 narrowing after the appropriate legislation has been approved by
7 the Board of Supervisors.

8 In the accomplishment of said purpose, the use of said
9 monies deposited in said special fund shall be restricted to:

10 (a) All net revenues received by the City from the
11 operation of the Sutter-Stockton Garage from fiscal years 1985-86
12 through 1989-90 inclusive, the St. Mary's Garage except for that
13 portion dedicated to the Recreation and Park Department. Seventh
14 and Harrison Parking Plaza and the Marshall Square Parking Plaza,
15 shall be dedicated to the financing of public off-street parking
16 facilities in or near neighborhood commercial districts, except
17 that such revenues may further be used to reimburse accounts
18 which have advanced funds for purposes of financing public
19 off-street parking facilities in or near neighborhood commercial
20 districts;
21 (b) All net revenues received from public off-street
22 parking facilities financed pursuant to Subsection (a) above,
23 shall be dedicated to the maintenance of existing and the
24 financing of new public off-street parking facilities in or near
25 neighborhood commercial districts;

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BOARD OF SUPERVISORS

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1 (c) The payment of the costs of engineering and related
2 studies and surveys;

3 (d) The payment of the costs, operation and maintenance of
4 parking facilities and related structures hereafter acquired or
5 constructed as aforesaid, including the payment of possessory
6 interest taxes required by any agreement authorized by the Board
7 of Supervisors;

8 (e) The sole pledge for the servicing of past or future
9 indebtedness incurred by the issuance of bonds or other
10 instruments by or on behalf of the City and County of San
11 Francisco for the acquisition, construction and completion of
12 off-street parking facilities;

13 (f) The sole additional pledge augmenting a pledge of
14 revenue from off-street parking facilities for the servicing of
15 past or future indebtedness incurred by the issuance of revenue
16 bonds or other revenue instruments by or on behalf of the City
17 and County of San Francisco for the acquisition, construction and
18 completion of off-street parking facilities;

19 (g) Payment of the cost of engineering and construction of
20 on-street parking bays in commercial and residential-commercial
21 combined districts and in parking meter districts in neighborhood
22 shopping districts by sidewalk narrowing and necessary related
23 activities after any appropriate legislation has been approved by
24 the Board of Supervisors;
25 ///

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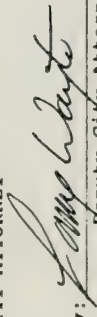
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(h) Administrative and operating expenses of Department of Parking and Traffic, the Parking and Traffic Commission and the Parking Authority of the City and County of San Francisco;
 (i) Payment to the General Fund, for traffic regulation and control, of any amounts remaining in said special fund after making provision for the requirements under (a),(b),(c),(d),(e),(f),(g) and (h) hereof.

The monies in said special fund shall be set aside for the aforesaid purposes upon recommendation by the Parking and Traffic Commission of the City and County of San Francisco and appropriation thereof by the Board of Supervisors pursuant to the budget and fiscal provisions of the Charter.

APPROVED AS TO FORM:

LOUISE H. RENNE
 CITY ATTORNEY

By:  Deputy City Attorney

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-5-

06/23/92

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed
 July 13, 1992 \$ July 20, 1992

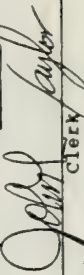
Ayes: Supervisors Britt Conroy
 Gonzalez Hallinan Hsieh Kennedy
 Maher Shelley

Ayes: Supervisors Achtenberg Alloto
 Britt Conroy Gonzalez Hallinan
 Hsieh Kennedy Maher Shelley

Absent: Supervisors Achtenberg
 Alloto Migden

Absent: Supervisor Migden

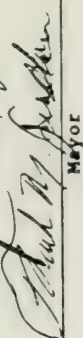
I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

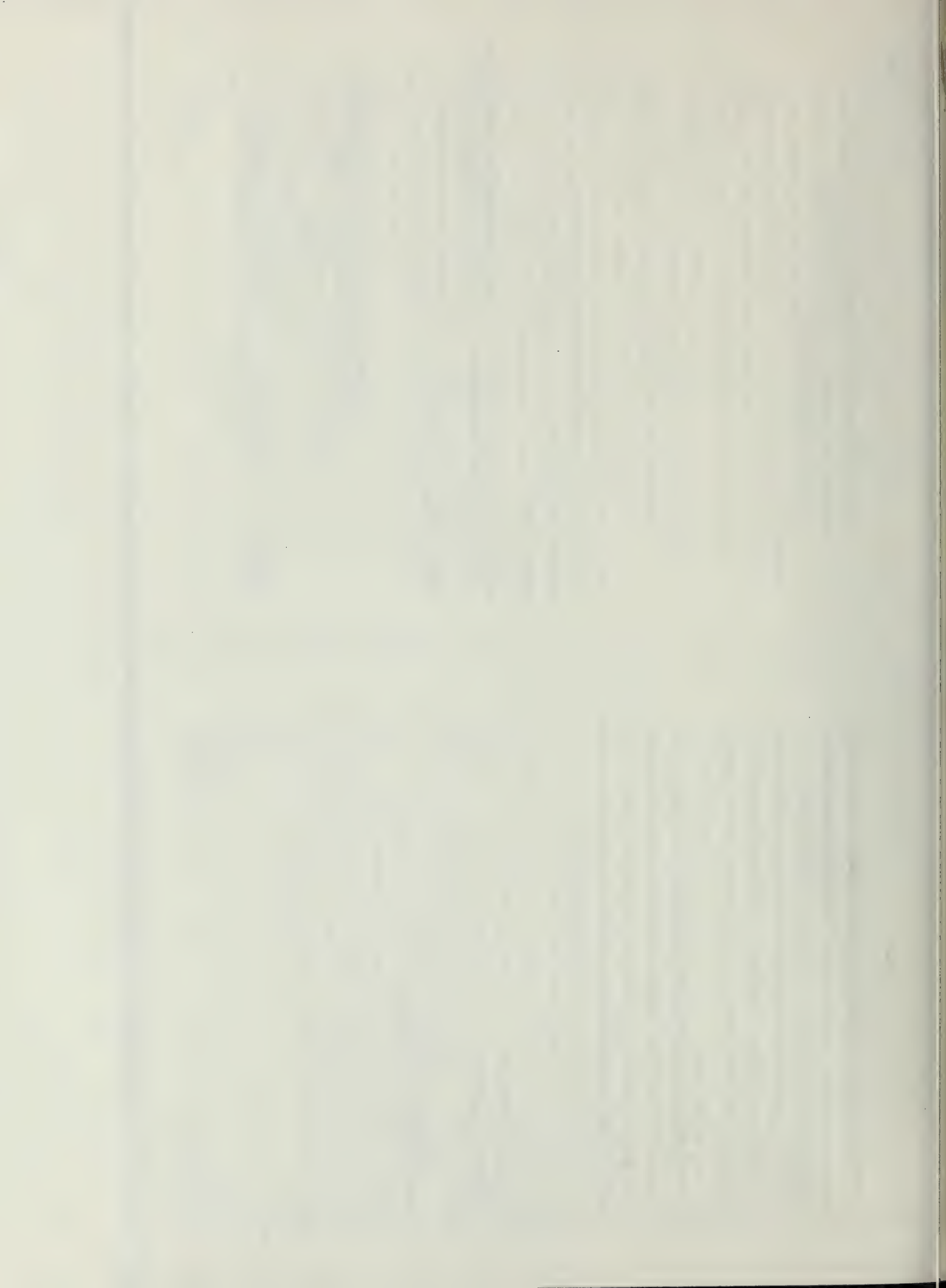
 Clerk

JUL 24 1992

File No.
 124-92-3.1

Date Approved

 Mayor



1 (Fees)

2 AMENDING PART II, CHAPTER I, OF THE SAN FRANCISCO MUNICIPAL CODE
 3 (BUILDING CODE) BY ADDING SECTION 333.5 TO IMPOSE FEES FOR
 4 ADMINISTERING THE UNREINFORCED MASONRY BUILDING RETROFIT PROGRAM.

5

6 Note: This section is entirely new.

7

8 Be it ordained by the People of the City and County of San
 9 Francisco.

10

11 Section 1. Part II, Chapter I, of the San Francisco
 12 Municipal Code (Building Code) is hereby amended by adding
 13 Section 333.5 to read as follows:

14

15 Unreinforced Masonry Building Retrofit Program Fee Schedule
 16 Sec. 333.5.

17 Review of inventory form (Section 1404(b)1) \$ 75.00

18 Review of the summary of the engineering
 19 report (Section 1404(b)3) \$150.00

20

22 APPROVED AS TO FORM:

23 LOUISE H. DENNE
 24 CITY ATTORNEY

25

by Judith A. Boyer
 Deputy City Attorney

BOARD OF SUPERVISORS
 SUPERVISOR ACHTENBERG
 09573

06/03/92

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Board of Supervisors, San Francisco

Passed for Second Reading

July 20, 1992

\$ Finally Passed

\$ July 27, 1992

Ayes: Supervisors Achtenberg Alioto
 Conroy Gonzalez Hallinan Hsieh
 Kennedy Migden Shelley

\$ Ayes: Supervisors Alioto Britt
 Conroy Hallinan Hsieh Kennedy
 Maher Migden Shelley

Absent: Supervisors Britt Maher

\$ Absent: Supervisors Achtenberg
 Gonzalez

I hereby certify that the foregoing ordinance
 was finally passed by the Board of Supervisors
 of the City and County of San Francisco

File No.
 114-92-6

JUL 29 1992

Date Approved

John M. Taylor
 Clerk

Edmund M. Byrne
 Mayor

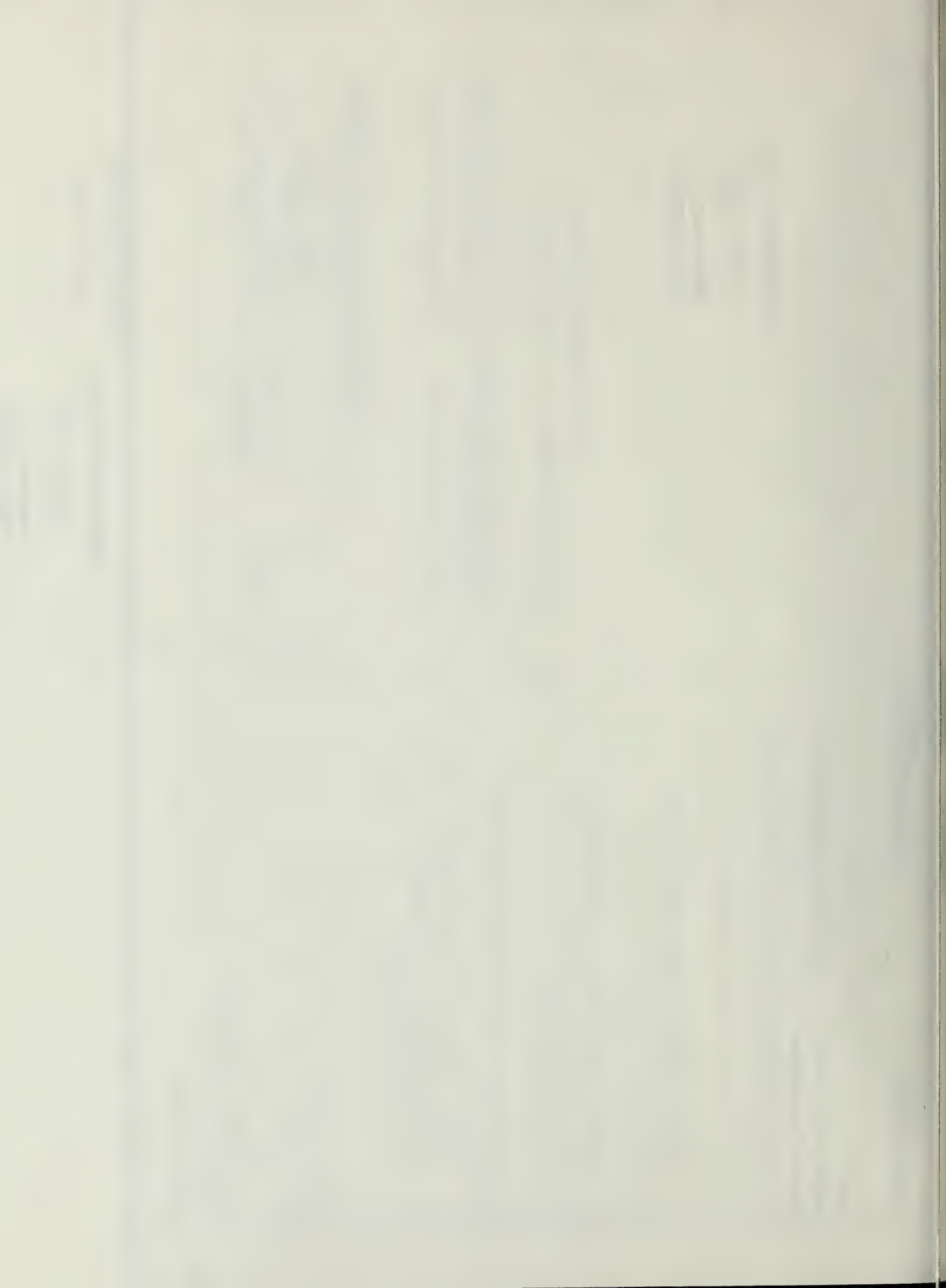
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27 JUL 13 PM 11:05

CITY AND COUNTY OF SAN FRANCISCO

CONSOLIDATED BUDGET

AND

ANNUAL APPROPRIATION ORDINANCE

FISCAL YEAR ENDING JUNE 30, 1993



File No. 101-92-2

Ordinance No. 249-92

Board of Supervisors, San Francisco

Passed for Second Reading

July 20, 1992

**Ayes: Supervisors Achtenberg Alioto
Britt Conroy Gonzalez Hallinan
Kennedy Maher Migden Shelley**

Noes: Supervisor Hsieh

5 Finally Passed

July 27, 1992

**Ayes: Supervisors Achtenberg Alloto
Britt Conroy Gonzalez Hallinan
Hsieh Kennedy Maher Mifden
Shelley**

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

File No.
101-92-2

Jul. 29 1892.

Date Approved

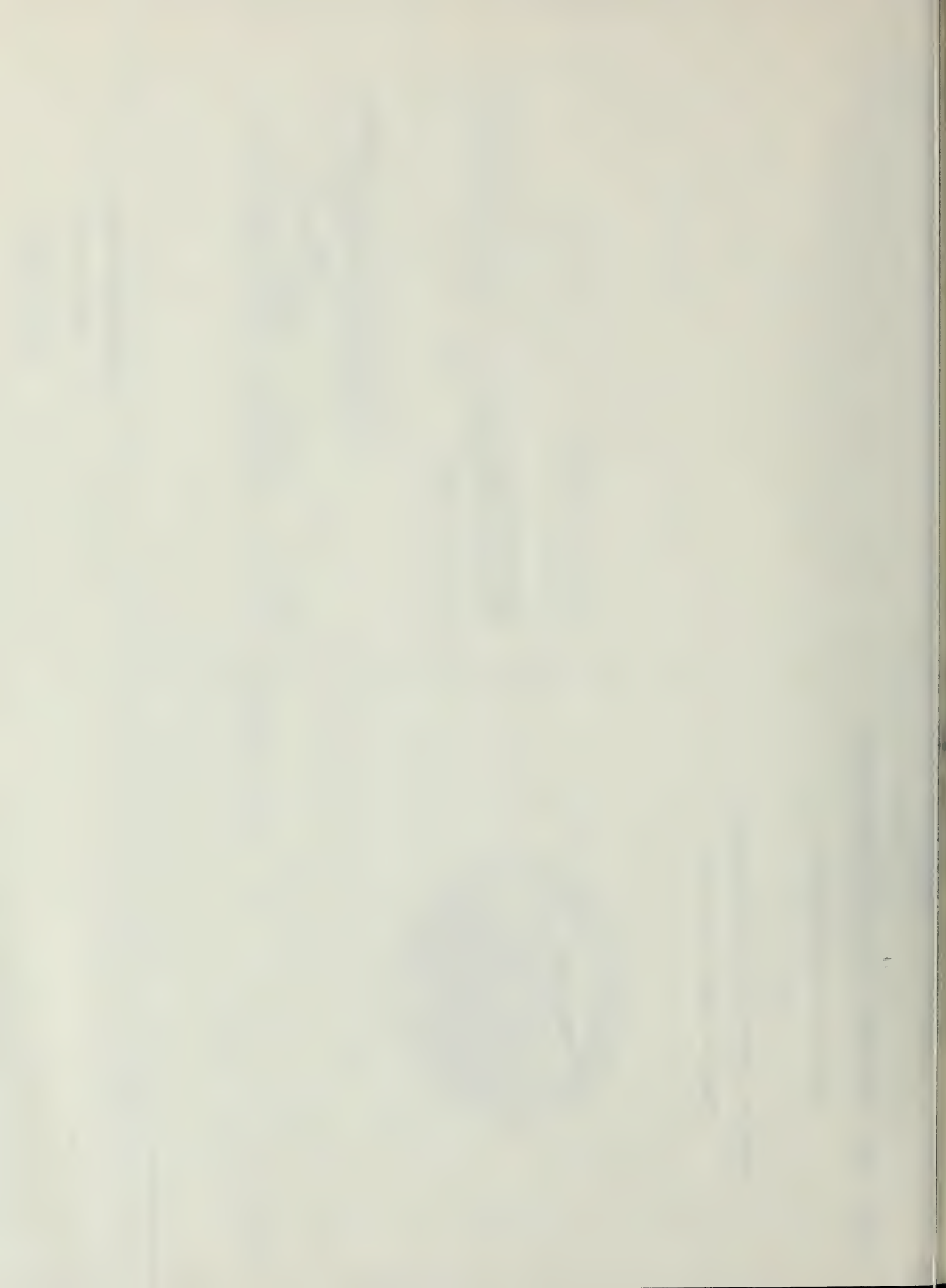
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May 6

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AN ORDINANCE ENUMERATING POSITIONS IN THE ANNUAL BUDGET AND APPROPRIATING OR ORDINANCE FOR THE FISCAL YEAR ENDING JUNE 30, 1993, CONTINUING, CREATING OR ESTABLISHING THESE POSITIONS; ENUMERATING AND INCLUDING THEREIN ALL POSITIONS CREATED BY CHARTER OR STATE LAW FOR WHICH COMPENSATIONS ARE PAID FROM CITY AND COUNTY FUNDS AND APPROPRIATED IN THE ANNUAL APPROPRIATION ORDINANCE; SPECIFYING AUTHORIZING APPOINTMENTS OR CONTINUATION OF APPOINTMENTS THEREOF; SPECIFYING AND FIXING THE COMPENSATIONS AND WORK SCHEDULES THEREOF; AND AUTHORIZING APPOINTMENTS TO TEMPORARY POSITIONS AND FIXING COMPENSATIONS THEREOF.

BE IT ORDAINED BY THE PEOPLE OF THE
CITY AND COUNTY OF SAN FRANCISCO.

SECTION 1. ESTABLISHMENT, CREATION AND CONTINUATION OF POSITIONS.

In accordance with the provisions of Section 6.207 of the Charter, the positions hereinafter enumerated under the respective departments are hereby created, established or continued for the fiscal year ending June 30, 1993. Positions created or authorized by charter or state law compensations for which are paid from City and County funds and appropriated in the annual appropriation ordinance are enumerated and included herein.

The word - position - or - positions - as used in the ordinance shall be construed to include - office - or - offices - and the word - employee - or employees - shall be construed to include - officer - or officers.

SECTION 1.1. APPOINTMENTS AND VACANCIES - PERMANENT POSITIONS.

Appointing officers as specified in the charter are hereby authorized, subject to the provisions of this ordinance, to make or continue appointments as needed during the fiscal year to permanent positions enumerated in their respective sections of this ordinance. Such appointments shall be made in accordance with the Civil Service provisions of the Charter. Appointing officers shall not make an appointment to a vacancy in a permanent position until the Mayor shall approve the requisition for such service as herein provided. Provided further that in order to prevent the stoppage of essential services the Civil Service Commission, under its rules, may authorize an emergency appointment pending approval or disapproval of the requisition by the Mayor, if funds are available to pay the compensation of such emergency appointee. The requisition for filling such positions shall be completed in quadruplicate, one copy to be retained by the department and the three remaining copies to be submitted immediately and simultaneously to the Controller, the Mayor and the Civil Service Commission. If the requisition is approved by the Mayor within two working days after the date of receipt of the requisition, he shall promptly transmit it to the Civil Service Commission. Unless within two such working days the Mayor informs the Civil Service Commission that he will not approve the requisition or that the requisition is being held by the Mayor for further consideration, the Civil Service Commission, upon certification of funds by the Controller, shall process the appointment. The Controller shall certify as to the availability of funds within two working days and shall promptly transmit the requisition to the Civil Service Commission.

Board of Supervisors, San Francisco

Passed for Second Reading	\$	Finally Passed
July 20, 1992	\$	July 27, 1992

Ayes: Supervisors Achtenberg Alioto
Britt Conroy Gonzalez Hallinan
Heieh Kennedy Maher Migden
Shelley

Ayes: Supervisors Achtenberg Alioto
Britt Conroy Gonzalez Hallinan
Heieh Kennedy Maher Migden
Shelley

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

JUL 29 1992

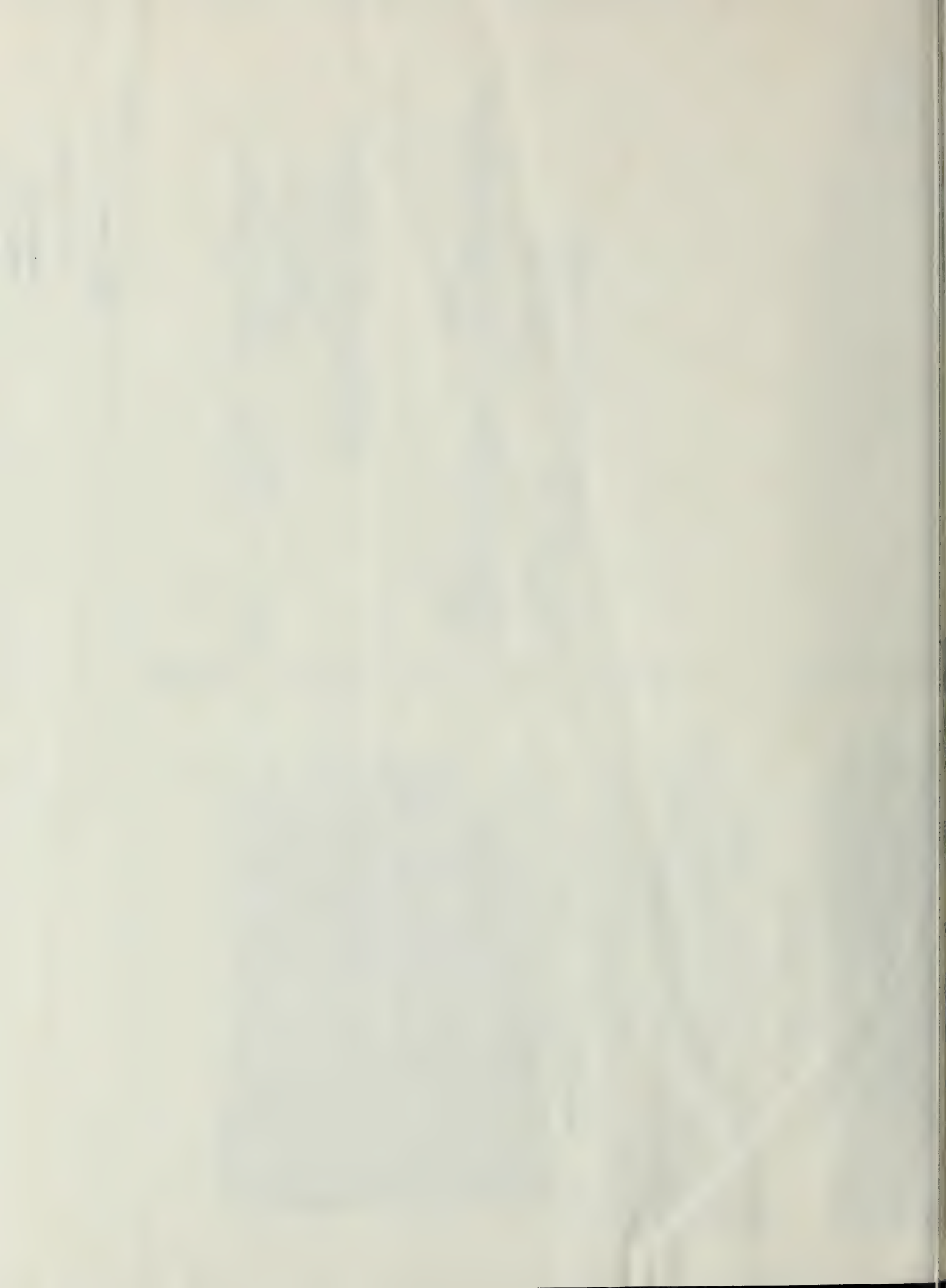
File No.
102-92-2

Date Approved

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[AFFIRMATIVE ACTION PLANS]

AMENDING SECTION 16.9-24 OF THE SAN FRANCISCO ADMINISTRATIVE CODE,
WHICH PERTAINS TO AFFIRMATIVE ACTION PLANS, BY REQUIRING THAT CITY
DEPARTMENTS, BOARDS AND COMMISSIONS WORK WITH THE COMMISSION ON THE
STATUS OF WOMEN, IN ADDITION TO THE CIVIL SERVICE AND HUMAN RIGHTS
COMMISSIONS, TO PREPARE AND IMPLEMENT SUCH PLANS.

NOTE: Additions or substitutions are underlined
deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 16, Article I, of the San Francisco
Administrative Code is hereby amended by amending Section 16.9-24
thereof, to read as follows:

SEC. 16.9-24. PREPARATION AND IMPLEMENTATION OF OFFICE, BOARD
AND DEPARTMENT AFFIRMATIVE ACTION PLANS IN COORDINATION WITH THE
CIVIL SERVICE COMMISSION IN COMPLIANCE WITH RELEVANT FEDERAL, STATE
AND LOCAL LAW AND GUIDELINES. Each board or commission, each
elective officer in charge of an administrative office, the
Controller, the Chief Administrative Officer, and each department
head appointed by the Chief Administrative Officer shall be
responsible for the preparation and implementation of an affirmative
action plan in order to provide equal employment opportunities to

SUPERVISOR ACHTENBERG
2959g

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06/04/92

BOARD OF SUPERVISORS

all persons. Each such plan shall address all employment-related
subjects the control of which is vested by the Charter in the board,
commission, officer, or department. Such subjects shall include,
but not be limited to, the following:

(a) Policy statements;

(b) Designation of affirmative action responsibilities within
the office, board or department, and establishment of a mechanism to
evaluate the specific plan adopted;

(c) Analysis of workforce utilization in each job category by
race or national origin, sex, age and salary;

(d) Specific affirmative action steps to be undertaken within
stated timetables to ensure nondiscriminatory personnel relations to
each race or national origin group and each sex, as determined by
the availability of qualified representatives thereof in the
community; and

(e) The method of dissemination of the affirmative action plan.

All such plans shall be prepared in consultation with the Civil
Service Commission, ((and)) the Human Rights Commission, and the
Commission on the Status of Women in order to provide technical
assistance and recommendations on effective steps to achieve equal
employment opportunity. Prior to adoption, the Civil Service
Commission, ((and)) the Human Rights Commission, and the Commission
on the Status of Women shall also approve each affirmative action
plan in cooperation with the City Attorney to ensure that compliance
is made with all relevant Federal, State and local equal opportunity

SUPERVISOR ACHTENBERG
2959g

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1 laws or regulations. Should the Civil Service Commission, ((or))
2 the Human Rights Commission, or the Commission on the Status of
3 Women find any such plan not in compliance with the above, it shall
4 immediately so report to the Mayor's Office and Board of
5 Supervisors. In the event that the Civil Service Commission,
6 ((and)) the Human Rights Commission, and/or the Commission on the
7 Status of Women disagree, the matter shall be submitted to the
8 Mayor's Office for resolution. All such plans shall, upon adoption,
9 be filed with the Civil Service Commission, ((and)) the Human Rights
10 Commission, and the Commission on the Status of Women for public or
11 other inspection.

12 In order to facilitate the development of information necessary
13 to the formulation of such plans, the Controller is directed to make
14 appropriate data processing facilities available and to process
15 annual workforce utilization plans as required by this Section, the
16 California Fair Employment Practices Commission, the Equal
17 Employment Opportunity Commission, the Human Rights Commission, the
18 Commission on the Status of Women or any other regulatory agency
19 charged with reviews of nondiscrimination provisions of local, State
20 or Federal law.

21 All such plans shall be periodically reviewed, amended and
22 updated as appropriate on at least an annual basis. An annual
23 report on the performance and progress of such plans shall be
24 prepared and submitted to the Mayor and Board of Supervisors by the
25 Civil Service Commission in cooperation with the Human Rights

SUPERVISOR ACHTENBERG
29599
BOARD OF SUPERVISORS

PAGE NO. 3
06/04/92

1 Commission and the Commission on the Status of Women by the first
2 day of March of each year during the annual budget process.

3
4 APPROVED AS TO FORM:

5 LOUISE H. RENNE
6 City Attorney

7
8 By: *Waverly*
9 Deputy City Attorney
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SUPERVISOR ACHTENBERG
29599
BOARD OF SUPERVISORS

PAGE NO. 4
06/04/92

Board of Supervisors, San Francisco

Passed for Second Reading

July 27, 1992

§ Finally Passed

§ August 3, 1992

§

Ayes: Supervisors Alioto Britt
Conroy Hallinan Heideh Kennedy
Maher Migden Shelley

§ Ayes: Supervisors Achtenberg Alioto
Britt Conroy Gonzalez Hallinan
Heideh Shelley

Absent: Supervisors Achtenberg
Gonzalez

§ Absent: Supervisors Kennedy Maher
Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

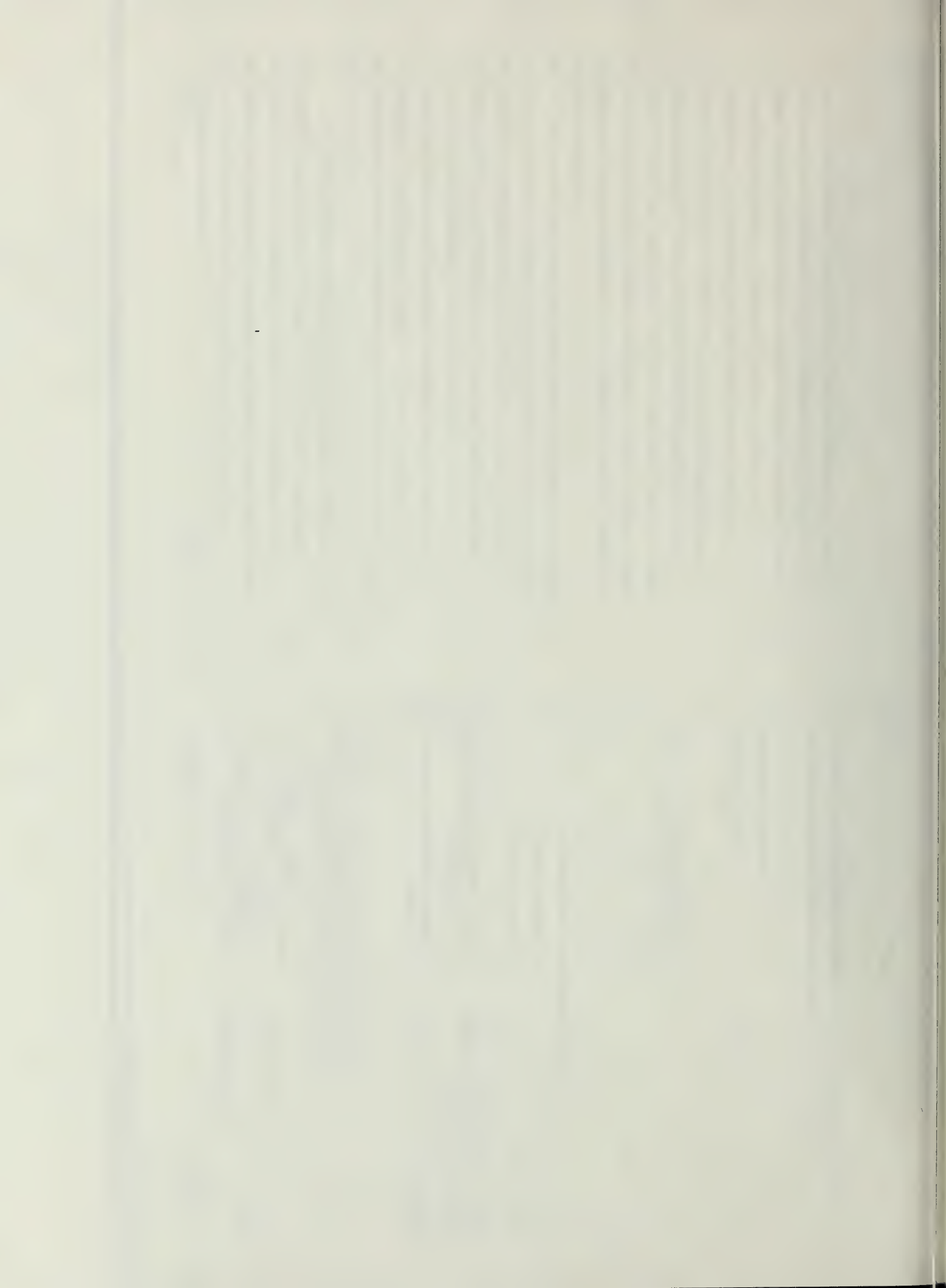
AUG 07 1992,

Date Approved

Clerk

Mayor

File No.
97-92-41



FILE NO. 101-92-3

ORDINANCE NO. 252-92

RO# 92032 SA# 2

APPROPRIATING \$6,100,000 FOR VARIOUS CAPITAL IMPROVEMENT PROJECT,

PUBLIC WORKS FOR FISCAL YEAR 1992-93; PLACING \$5,259,420 ON RESERVE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1992-93 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount	
		Debit	Credit
05-613	1989 Earthquake Safety Bond Fund		
55-5500 (053595)	Proceeds - Sale of Bonds	\$6,100,000	
03-00-00	City Attorney		
Project 001-01	Legal Services		
20-2030 (302190)	Capital Improvement Project		\$ 40,000
31-03-00	Fire Department		
Project 100-01	Various Fire Stations - Improvements		
20-2030 (530261)	Capital Improvement Project		5,134,000
60-00-00	Academy of Sciences		
Project 150-01	Various Buildings - Improvement		
20-2030 (400036)	Capital Improvement Project		916,000
70-04-00	Chief Administrative Officer		
Project 007-00	Financial Consultation		
20-2030 (420588)	Capital Improvement Project		10,000
Total		\$6,100,000	\$6,100,000

Approved As To Form:

Louise H. Renne, City Attorney

By: *[Signature]* Deputy City Attorney

BOARD OF SUPERVISORS
Enfile 92W

Funds Available:

[Signature] Controller

GJ 7/22

Section 2. Funds totaling \$5,259,420 (\$5,252,864 for construction contracts pending the selection of the contractors, the determination of the MBE/WBE status of the contractors and finalized cost details, and \$6,556 for design and construction contingencies pending the specification of any additional design or construction costs) are hereby placed on reserve, to be released by the Finance Committee.

DOCUMENTS DEPT.

AUG 17 1992

SAN FRANCISCO
PUBLIC LIBRARY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

July 27, 1992

Ayes: Supervisors Alloto Britt
Conroy Hallinan Helen Kennedy
Maher Migden Shelley
Absent: Supervisors Achtenberg
Gonzalez

Finally Passed

August 3, 1992

Ayes: Supervisors Achtenberg Alloto
Britt Conroy Gonzalez Hallinan
Helen Shelley
Absent: Supervisors Kennedy Maher
Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

AUG 07 1992

Date Approved

John F. Taylor
Clerk
Edward M. Parker
Mayor

File No.
101-92-3

APPROPRIATING \$135,778 FOR VARIOUS PURPOSES, PUBLIC WORKS FOR

FISCAL YEAR 1992-93.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1992-93 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount	
		Debit	Credit
02-501	Code Enforcement & Rehabilitation Fund		
90-03-00	Public Works - Building Inspection		
60-6021 (052902)	Substandard Housing		\$135,778
Project 004-01	Hardship Loans		
20-2010 (774133)	Program Project Budget		\$51,144
Project 004-02	Hardship Loans - Administrative Costs		
01-0010 (774133)	Permanent Salaries		\$17,421
04-0600	Mandatory Fringe Benefits		3,974
09-0900	Department Overhead		3,254
09-0910	Division Overhead		10,495
10-1435	Fees, Licenses and Permits		5,490
22-2231	Data/Word Processing Equipment		44,000
	Total	\$135,778	\$135,778

Approved As To Form:

Louise H. Renne, City Attorney

By:

Deputy City Attorney

Exclusion of SUPERVISORS

Funds Available:

for Controller

DOCUMENTS DEPT.

AUG 17 1992

SAN FRANCISCO
PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading

\$ Finally Passed

July 27, 1992

\$ August 3, 1992

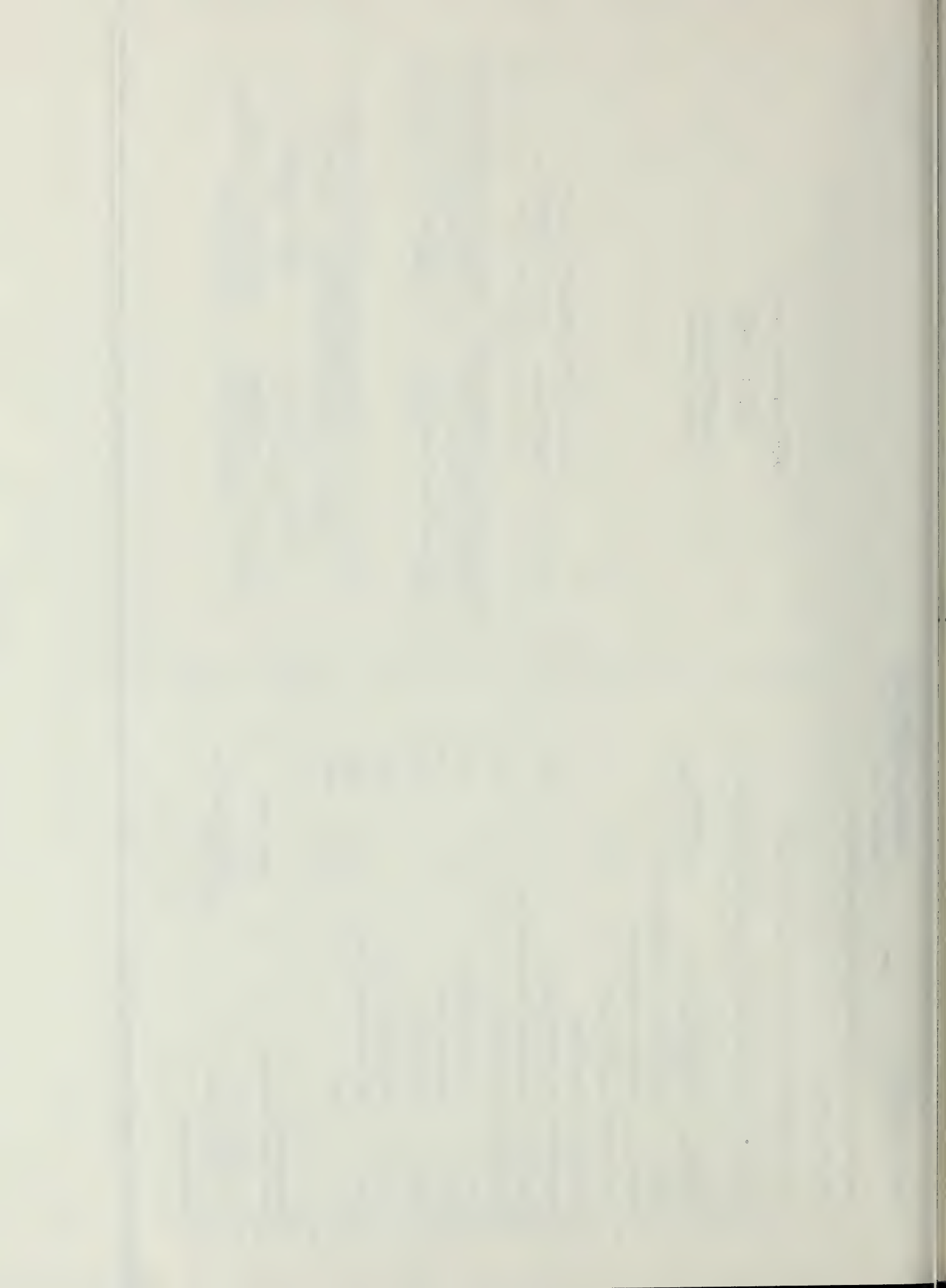
Ayes: Supervisors Achtenberg Conroy
Gonzalez Hallinan Hsieh Kennedy
Migden Shelley\$ Ayes: Supervisors Achtenberg Alioto
Britt Conroy Gonzalez Hallinan
Hsieh ShelleyAbsent: Supervisors Alioto Britt
Maher\$ Absent: Supervisors Kennedy Maher
MigdenI hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San FranciscoFile No.
101-92-4

AUG 07, 1992

Date Approved

Clerk

Mayor



1 (Riding of Horses)

2 AMENDING ARTICLE 7 OF THE SAN FRANCISCO POLICE CODE BY AMENDING

3 SECTION 490 TO AUTHORIZE DEPUTY ANIMAL CONTROL OFFICERS OF THE

4 DEPARTMENT OF ANIMAL CARE AND CONTROL TO ENFORCE THE PROVISIONS OF

5 THIS SECTION.

6 NOTE: Additions or substitutions are underlined;
7 deletions are in ((double parentheses)).

8 Be it ordained by the people of the City and County of San Francisco:

9 Section 1. The San Francisco Police Code is hereby amended by
10 amending Section 490 to read as follows:

11 SEC. 490. REGULATING RIDING OF HORSES IN PUBLIC PLACES.

12 (a) Use and Place Designated. No person shall ride, drive or
13 lead a horse unattached to a vehicle, for any purpose other than in
14 the pursuit of a business or occupation, parade, show or similar
15 exhibition for which a permit has been obtained under the provisions
16 of this Code, in any public place in the City and County of
17 San Francisco, except as hereinafter set forth in this Section:

18 (1) Upon unoccupied portions of the public beaches;

19 (2) Upon bridle trails and other equestrian paths

20 designated for such purpose under the provisions of the Charter and
21 Municipal Code of said City and County;

22 (3) Upon public roads, streets or highways when

23 necessarily used for the sole purpose of entering or leaving such
24 bridle trails, equestrian paths, or public beaches;

25 / /

SUPERVISOR MIGDEN

Page 1 of 3 pages

4028w

BOARD OF SUPERVISORS

(4) Upon public roads, streets or highways when
necessarily used in proceeding directly to or from a parade, show or
similar exhibition, as hereinabove set forth, when engaged as a
participant therein.

(b) Manner of Use. No person shall ride, drive or lead a
horse as provided in Subdivision (a) of this Section:

(1) At a pace faster than a slow canter when passing any
horse proceeding in the same direction, or at a pace faster than a
walk when passing any horse standing or proceeding in the opposite
direction;

(2) At a pace faster than a walk upon any pavement or
crossing;

(3) At a pace faster than is reasonable or prudent having
due regard for the traffic on, and the surface and width of, the
ground being traversed, and in no event at a rate of speed which
endangers the safety of persons, animals or property at any other
time or place permitted in this Section;

(4) While intoxicated.

(c) Two or More Riders. Two or more persons shall not ride
any such horse simultaneously.

(d) Necessary Control. Any police or ((humane)) deputy
animal control officer may demand custody of any such horse in the
event the person having charge thereof fails or refuses to exercise
control necessary for the safety of such horse, rider or any other
person, animal or property. Such horse so taken into custody may be

SUPERVISOR MIGDEN

Page 2 of 3 pages

4028w

BOARD OF SUPERVISORS

DOCUMENTS

AUG 17 1992

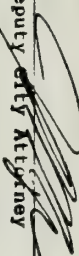
SAN FRANCISCO
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1 returned to its stable or impounded as if running at large. Refusal
2 of any such person to exercise such control shall constitute a
3 violation of this Section.

4 (e) Enforcement. The Chief of Police and ((humane)) deputy
5 animal control officers duly appointed by The San Francisco
6 ((Society for the Prevention of Cruelty to Animals)) Department of
7 Animal Care and Control shall enforce the provisions of this Section.
8 (f) Penalty. Each and every act which is a violation of any
9 of the provisions of this Section shall be deemed a misdemeanor.

10 APPROVED AS TO FORM:

11 LOUISE H. RENNE
12 City Attorney

13 By 
14 Deputy City Attorney

15 SUPERVISOR MIGDEN

Page 3 of 3 pages

4028w

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

July 27, 1992

Ayes: Supervisors Alloto Brito
Conroy Hallinan Hsieh Kennedy
Maher Migden Shelley
Absent: Supervisors Achtenberg
Gonzalez

§ Finally Passed

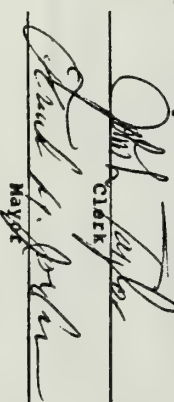
§ August 3, 1992

Ayes: Supervisors Achtenberg Alloto
Brito Conroy Gonzalez Hallinan
Hsieh Shelley
Absent: Supervisors Kennedy Maher
Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

File No.
121-92-7

AUG 07 1992
Date Approved


Clerk
David L. Parker
Mayor

1 (Permit and Inspection Fees)

2 AMENDING PART II, CHAPTER X OF THE SAN FRANCISCO MUNICIPAL CODE

3 (PUBLIC WORKS CODE) BY AMENDING SECTIONS 184.52, 708.2 AND 725.3 TO

4 CHANGE THE AMOUNTS OF VARIOUS FEES PROVIDED FOR IN THOSE SECTIONS.

5 NOTE: Additions or substitutions are underlined;
6 deletions are in ((double parentheses)).

7 Be it ordained by the People of the City and County of San Francisco:

8 Section 1. Part II, Chapter X of the San Francisco Municipal

9 Code (Public Works Code) is hereby amended to amend Section 184.52

10 to read as follows:

11 SEC. 184.52. PERMIT: APPLICATION, FEE, TERM. (a) Permit

12 Application. Application to the Director of Public Works for a

13 permit to distribute free merchandise or free sample goods as herein

14 provided shall be made on a form provided by the Department of

15 Public Works and shall contain the following information:

16 (1) The name and address of the applicant;

17 (2) The name or names of the applicant's employees or

18 agents who will distribute the free merchandise or free sample
19 goods;

20 (3) The location or locations where the applicant or his

21 employees or agents will distribute the free merchandise or

22 free sample goods;

23 (4) The date or dates upon which the applicant or his

24 employees or agents will distribute the free merchandise or

25 free sample goods;

DEPARTMENT OF PUBLIC WORKS
BOARD OF SUPERVISORS

Page 1 of 4 pages
4153w

(5) The hour or hours during which the applicant or his
employees or agents will distribute the free merchandise or
free sample goods.

(b) Permit Fee. Each application for a permit pursuant to
this Article must be accompanied by a check or money order in the
amount of ((\$80)) \$100 per day payable to the Department of Public
Works of the City and County of San Francisco. Said fee shall
compensate the Department for the cost of processing the application
and the cost of inspecting the property at the termination of the
permitted activity to ensure that the property has been restored to
its original condition.

(c) Permit Term. Permits issued pursuant to this Section
shall expire at the end of the last date on which the applicant
indicated on the permit application that it would distribute the
free merchandise or free sample goods, but in any event the permit
shall expire no more than 30 days after the date of issuance.

Section 2. Part II, Chapter X of the San Francisco Municipal
Code (Public Works Code) is hereby amended by amending Section 708.2
to read as follows:

SEC. 708.2. PERMIT FOR CONSTRUCTION, REPAIR, OR REPLACEMENT
OF SIDEWALKS - INSPECTION FEE. Every applicant for such a permit
shall pay the said Department, as an inspection fee, a sum of
((\$12)) \$15 for every 100 square feet or fraction thereof, of
sidewalk construction, repair or replacement. No fees shall be
required for a permit to repair or replace 10 square feet or less of
sidewalk.

DEPARTMENT OF PUBLIC WORKS

Page 2 of 4 pages
4153w

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AUG 17 1992

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Section 3. Part II, Chapter X of the San Francisco Municipal Code (Public Works Code) is hereby amended by amending Section 725.3 to read as follows:

SEC. 725.3. REGISTRATION OR PERMIT CONDITIONS AND INSPECTION

FEE. (a) Registration Option. Registration numbers shall be valid for one year, and shall be renewed annually, from the date established by the Director of Public Works. The registration and inspection fee for each box shall be \$250 annually. The registration numbers shall be affixed securely to the exterior of either end of the debris box. A list of debris box registration numbers shall be kept on file in the City Engineer's office.

(b) Permit Option. Each permit issued shall be valid for the duration of each debris box placement for any one location. The permit issuance and inspection fee shall be ((\$10)) \$20 for each permit issued. The permits shall be affixed securely to the exterior of either end of the debris box. A list of the location and permit number for each permit issued shall be kept on file in the City Engineer's office.

(c) Removal by Director. The Director of Public Works is authorized to order the immediate removal of a debris box when, in his or her opinion, the debris box constitutes a safety hazard or public nuisance, or when the presence of an emergency requires removal of the debris box. After notification by the Director of the removal order the debris box shall be removed immediately from the street area by its owner. If the owner does not remove the debris box immediately, the Director may order the Department of

DEPARTMENT OF PUBLIC WORKS

Public Works to remove the debris box. The owner shall pay to the City the costs of removal. No debris box shall be placed at that location until the conditions which have caused the removal order shall have been abated to the satisfaction of said Director.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By 
Deputy City Attorney

(SEE FILE FOR DEPARTMENTAL SIGNATURE)
Deputy Director for Public Services

RECOMMENDED:

RECOMMENDED BY:

(SEE FILE FOR DEPARTMENTAL SIGNATURE)
Chief Administrative Officer

(SEE FILE FOR DEPARTMENTAL SIGNATURE)
Director of Public Works

DEPARTMENT OF PUBLIC WORKS

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

\$ Finally Passed

July 27, 1992

\$ August 3, 1992

Ayes: Supervisors Alioto Britt
 Conroy Hallinan Hsieh Kennedy
 Maher Migden Shelley

\$ Ayes: Supervisors Achtenberg Alioto
 Britt Conroy Gonzalez Hallinan
 Hsieh Shelley

Absent: Supervisors Achtenberg
 Gonzalez

\$ Absent: Supervisors Kennedy Maher
 Migden

I hereby certify that the foregoing ordinance
 was finally passed by the Board of Supervisors
 of the City and County of San Francisco

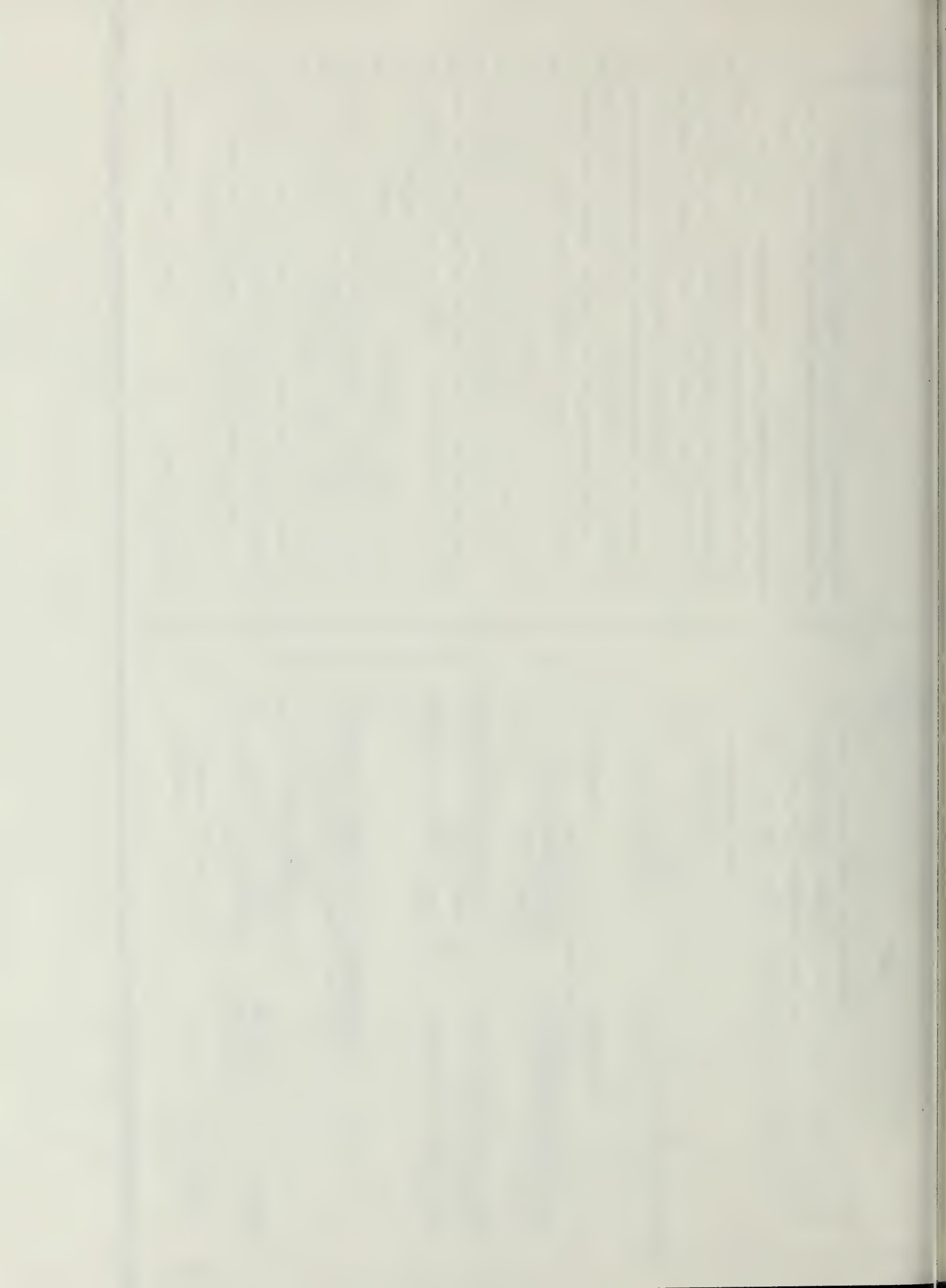
John J. Maher
 Clerk

AUG 07, 1992.

File No.
 123-92-2

Date Approved

Richard L. Paden
 Mayor



[Suspending 5% of Parking Tax Surcharge]

AMENDING PART III OF THE SAN FRANCISCO MUNICIPAL CODE BY ADDING
SECTION 602.5-2, WHICH SUSPENDS FIVE PERCENT OF THE PARKING TAX
SURCHARGE, EFFECTIVE JANUARY 1, 1993 OR AFTER, THE SUSPENSION GOING
INTO EFFECT ONLY UPON THE APPROVAL OF A SUPPLEMENTAL APPROPRIATION
THAT INCREASES THE GENERAL FUND CONTRIBUTED REVENUE RESERVES IN
FISCAL YEAR 1992-1993 TO ~~\$10,000,000~~ ~~\$10,000,000~~, AS CERTIFIED BY THE
CONTROLLER.

Note: These sections are entirely new

Be it ordained by the people of the City and County of San Francisco:

Section 1. Notwithstanding any other provision of law,
effective January 1, 1993 or after, the parking tax surcharge now
imposed at the full ten percent (10%) authorized by "Proposition R"
on the June 3, 1980 ballot is suspended to the extent of five
percent (5%), the suspension going into effect only upon the
approval of a supplemental appropriation that increases the general
fund contributed revenue reserves in fiscal year 1992-1993 to
~~\$10,000,000~~ ~~\$10,000,000~~, as certified by the Controller. The suspension
shall expire upon the adoption of an ordinance by the Board of
Supervisors terminating the suspension.

Page No. 1
07/20/92

BOARD OF SUPERVISORS

2961g

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//
//

Section 2. Article 9 of Part III of the San Francisco
Municipal Code (Parking Occupancy Tax) is hereby amended by adding
Section 602.5-2 thereto to read as follows:

SEC. 602.5-2 SUSPENDING 5% OF THE PARKING TAX SURCHARGE UPON
CERTAIN CONDITIONS. Five percent (5%) of the 10 percent parking tax
surcharge, which was approved as "Proposition R" on the June 3, 1980
ballot, shall be suspended, effective January 1, 1993 or after, the
suspension going into effect only upon the approval of a
supplemental appropriation that increases the general fund
contributed revenue reserves in fiscal year 1992-1993 to
~~\$10,000,000~~ ~~\$10,000,000~~, as certified by the Controller. The suspension shall
expire upon the adoption of an ordinance by the Board of Supervisors
terminating the suspension.

Section 3. Operative Date. This ordinance shall become
effective upon passage, as provided in Section 2.304 of the Charter,
except that the suspension provided for herein shall not become
operative prior to January 1, 1993, shall not apply prior to that
date, and further provided that the suspension will go into effect
only upon the approval of a supplemental appropriation that

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AUG 17 1992

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Page No. 2
07/20/92

BOARD OF SUPERVISORS

2961g

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//
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//

1 increases the general fund contributed revenue reserves in fiscal
7/27/92 \$10,000,000
2 year 1992-1993 to ~~\$10,000,000~~, as certified by the Controller.
ejp

3 APPROVED AS TO FORM:

4 LOUISE H. RENNE, City Attorney

6 By: Theresa R. Foley
7 Deputy City Attorney

25 SUPERVISOR GONZALEZ

24 29619

BOARD OF SUPERVISORS

Page No. 3
07/20/92

Board of Supervisors, San Francisco

Passed for Second Reading

July 27, 1992

Ayes: Supervisors Alloto Conroy
Gonzalez Hallinan Helen Kennedy
Maher Shelley

Noes: Supervisors Britt Migden

Absent: Supervisor Achtemberg

§ Finally Passed

§ August 3, 1992

Ayes: Supervisors Achtemberg Alloto
Britt Conroy Gonzalez Hallinan
Helen Kennedy

§

Absent: Supervisors Kennedy Maher
Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

AUG 07 1992

File No.
127-92-6

Date Approved

John Taylor
City Clerk
Edward H. Gordon
Mayor

[CCP § 998 OFFER OF SETTLEMENT OF LAWSUIT]

RO #92038

AUTHORIZING CCP § 998 OFFER OF SETTLEMENT OF LITIGATION OF BRIAN
BRINGARDNER AGAINST CITY AND COUNTY OF SAN FRANCISCO, ET AL.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized make a CCP
§ 998 offer to settle the action entitled "BRINGARDNER v. CITY AND
COUNTY OF SAN FRANCISCO, et al.," San Francisco Superior Court No.
920-290, by the payment of Eighty Eight Thousand Dollars (\$88,000).

APPROVED AS TO FORM
AND RECOMMENDED:

RECOMMENDED:

LOUISE H. RENNE
City Attorney

SAN FRANCISCO POLICE DEPARTMENT

KIMBERLY REILEY CLEMENT
Chief Trial Deputy

THOMAS F. MURPHY
Acting Chief of Police

FUNDS AVAILABLE:

APPROVED:

SAN FRANCISCO POLICE COMMISSION

EDWARD M. HARRINGTON
Controller

JUL 15 1992

01 001 97 09 38
309781 1450 \$88,000.00

1811r

BOARD OF SUPERVISORS

DOCUMENTS DEPT.

AUG 17 1992

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Board of Supervisors, San Francisco

Passed for Second Reading

\$ Finally Passed

August 3, 1992

\$ August 10, 1992

Ayes: Supervisors Achtenberg Alioto
Britt Conroy Gonzalez Hallinan
Haieih Shelley

\$ Ayes: Supervisors Alioto Britt
Conroy Gonzalez Hallinan Kennedy
Maheir Migden Shelley

Absent: Supervisors Kennedy Maher
Migden

\$ Absent: Supervisors Achtenberg
Haieih

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

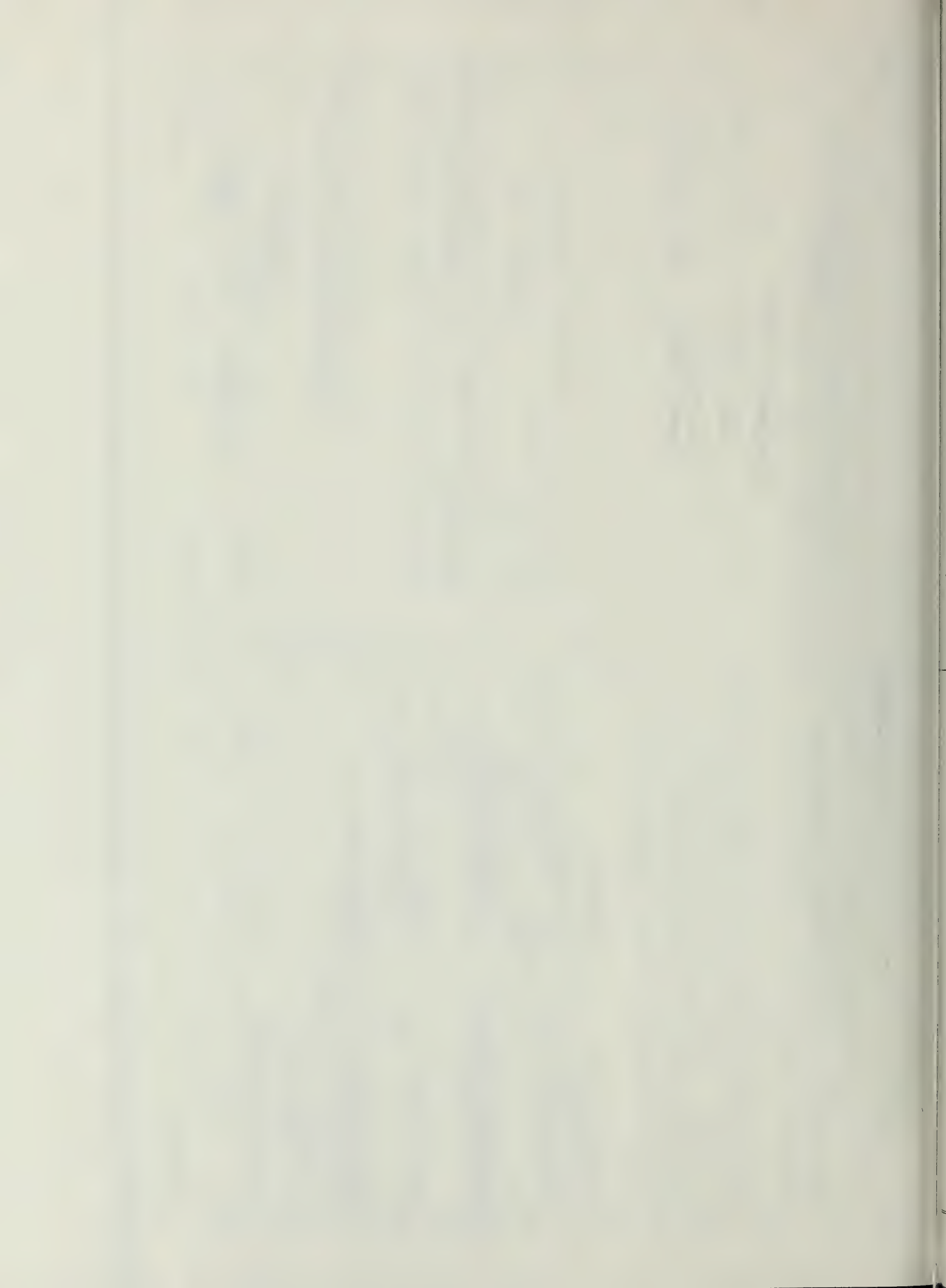
ACTING Clerk

File No.
45-92-42

AUG 11 1992

Date Approved

Mayor



1 (Airport - Lease Modifications)

2 APPROVING MODIFICATION NO. 1 OF LEASE AGREEMENT BETWEEN CITY
3 COLLEGE OF SAN FRANCISCO AND CITY AND COUNTY OF SAN FRANCISCO,
4 ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

5
6 Be it ordained by the People of the City and County of
7 San Francisco:

8 Section 1. Pursuant to Section 7.402-1 of the
9 Charter, the Board of Supervisors hereby approves Modification
10 No. 1 of the Lease Agreement between City College of San
11 Francisco and the City and County of San Francisco, acting by
12 and through its Airports Commission, copies of which
13 Modification is contained in Board of Supervisors' file
14 number 27-92-5.

17 APPROVED AS TO FORM:

18 LOUISE H. RENNE

19 City Attorney

20 By Mare E. Rosales
21 Deputy City Attorney

DOCUMENTS DEPT.
SEP 1 1992
SAN FRANCISCO

Board of Supervisors, San Francisco

Passed for Second Reading § Finally Passed
August 3, 1992 § August 10, 1992

Ayes: Supervisors Achtenberg Alloto
Britt Conroy Gonzalez Hallinan
Hsieh Shelley

§ Ayes: Supervisors Alloto Britt
Conroy Gonzalez Hallinan Kennedy
Maher Migden Shelley

Absent: Supervisors Kennedy Maher
Migden

§ Absent: Supervisors Achtenberg
Hsieh

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

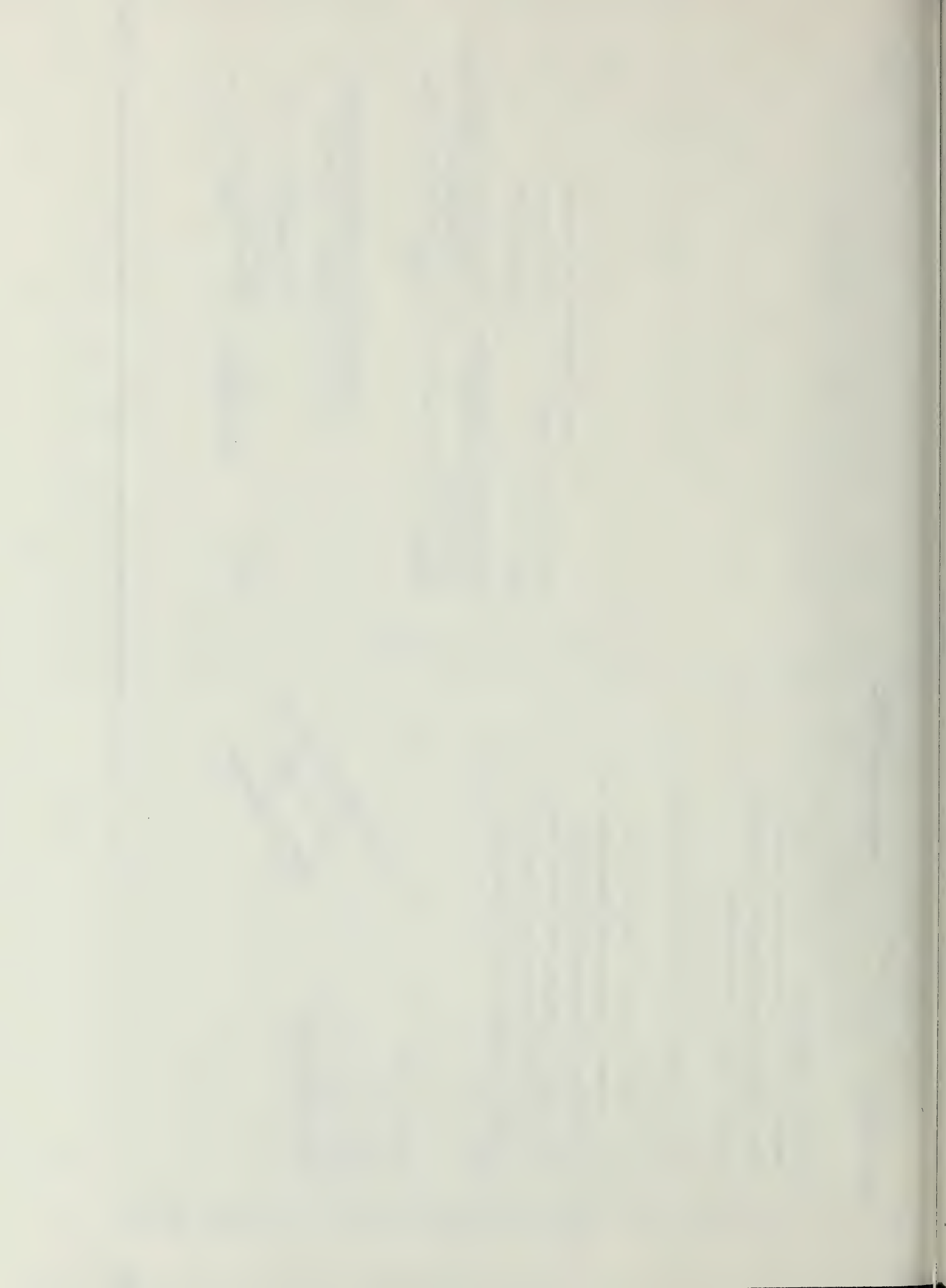
File No.
27-92-5

AUG 18 1992

Date Approved

ACTING Clerk

Mayor



1 [SETTLEMENT OF LAWSUIT]

2 AUTHORIZING SETTLEMENT OF LITIGATION OF HOCK INVESTMENT CO., INC. V.
 3 CITY AND COUNTY OF SAN FRANCISCO TO PERMIT THE PROCEEDING OF AN
 4 APPLICATION FOR CONVERSION TO CONDOMINIUMS OF 2090 PACIFIC.

5
 6 Be it ordained by the People of the City and County of San
 7 Francisco:

8 Section 1. The City Attorney is hereby authorized to settle
 9 the action entitled HOCK INVESTMENT CO., INC. V. CITY AND COUNTY OF
 10 SAN FRANCISCO, San Francisco Superior Court No. 812-225, by
 11 permitting the condominium conversion application of 2090 Pacific
 12 Street to be processed in accordance with the law in effect at the
 13 time plaintiff's application was submitted and on the condition that
 14 the property owner waive all claims for damages and fees against the
 15 City if the application is approved.

16 Section 2. Plaintiff Hock's tentative map application shall
 17 be exempted from the requirement that it be forwarded to the City
 18 Planning Department or City Planning Commission under Subdivision
 19 Code §1325 and the requirement of notice to tenants under a City
 20 Planning Commission hearing will be held under Subdivision Code
 21 §1381(6)(A). Plaintiff's application shall be further exempted from
 22 Subdivision Code §§1332, 1341, 1385, and 1390 in their entirety. In
 23 all other respects, plaintiff's application shall comply with the
 24 Subdivision Code provisions in effect at the time plaintiff's
 25 application was submitted. The Board approves this settlement on

BOARD OF SUPERVISORS

Page 1 of 3

SEP 1 1992

JACK FRANK

the terms set forth in the Settlement and General Release Agreement
 on file with the Board.

Section 3. The Board hereby finds that the subdivision map
 application submitted on December 10, 1982 to convert the building
 at 2090 Pacific Street to condominiums is consistent with the City's
 Master Plan and with the eight priority policies of City Planning
 Code §101.1. As follows:

1. The subdivision of 2090 Pacific into condominium units
 would not affect existing neighborhood-serving retail uses.
2. The mere subdivision of 2090 Pacific into condominiums
 would not require construction or demolition and hence would not
 affect existing housing and neighborhood character.
3. Because the building in question is a luxury building
 charging market rents, the subdivision would not affect the City's
 supply of affordable housing.
4. The subdivision of 2090 Pacific into condominiums would
 not affect commuter traffic and would not affect Muni transit
 service, the City's streets, or neighborhood parking.
5. The subdivision would not affect the City's industrial or
 service sectors and would not affect resident employment or
 ownership.
6. The subdivision would not affect the City's earthquake
 preparedness.
7. 2090 Pacific is not a landmark or historic building.

Page 2 of 3

BOARD OF SUPERVISORS

8. The subdivision would not affect the City's parks or open space.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

Louise H. Renne
Deputy City Attorney

RECOMMENDED:

DIRECTOR OF PUBLIC WORKS

John E. Gibbs
John E. Gibbs

DIRECTOR OF PLANNING

Lucian Blazek
Lucian Blazek
Acting Director

0934/6-8

Page 3 of 3

BOARD OF SUPERVISORS

CC

Board of Supervisors, San Francisco

Passed for Second Reading

August 3, 1992

Ayes: Supervisor Achtemberg Alloto
Britt Conroy Gonzalez Hallinan
Helen Shelley
Absent: Supervisor Kennedy Maher
Migden

Finally Passed

August 10, 1992

Ayes: Supervisors Alloto Britt
Conroy Gonzalez Hallinan Kennedy
Maher Migden Shelley
Absent: Supervisor Achtemberg
Helen

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

David D. Hall
ACTING CLERK

File No.
45-92-39

AUG 18 1992
Date Approved

David D. Hall
Mayor

(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF LITIGATION OF MYRNA A. RAGOTERO, ROLLY P. CHAN AGAINST THE CITY AND COUNTY OF SAN FRANCISCO, ET AL.
MUNICIPAL COURT NO. 066-803 BY PAYMENT OF \$8,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Myrna A Ragotero, Rolly P. Chan v. City and County of San Francisco, et al." Municipal Court No. 066-803, by the payment of \$8,000.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY REALEY CLEMENT
Chief Trial Deputy

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 31

309773 1450 \$8,000.00

JUL 01 1992

0398N:1S

COMMUNITY DEPT.

SEP 1 1992

BOARD OF SUPERVISORS

SAN FRANCISCO

Board of Supervisors, San Francisco

Passed for Second Reading

August 3, 1992

Ayes: Supervisors Achtenberg Alloto
Britt Conroy Gonzalez Hallinan
Heisler Shelley

Absent: Supervisors Kennedy Maher
Migden

Finally Passed

August 10, 1992

Ayes: Supervisors Alloto Britt
Conroy Gonzalez Hallinan Kennedy
Maher Migden Shelley

Absent: Supervisors Achtenberg
Heisler

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

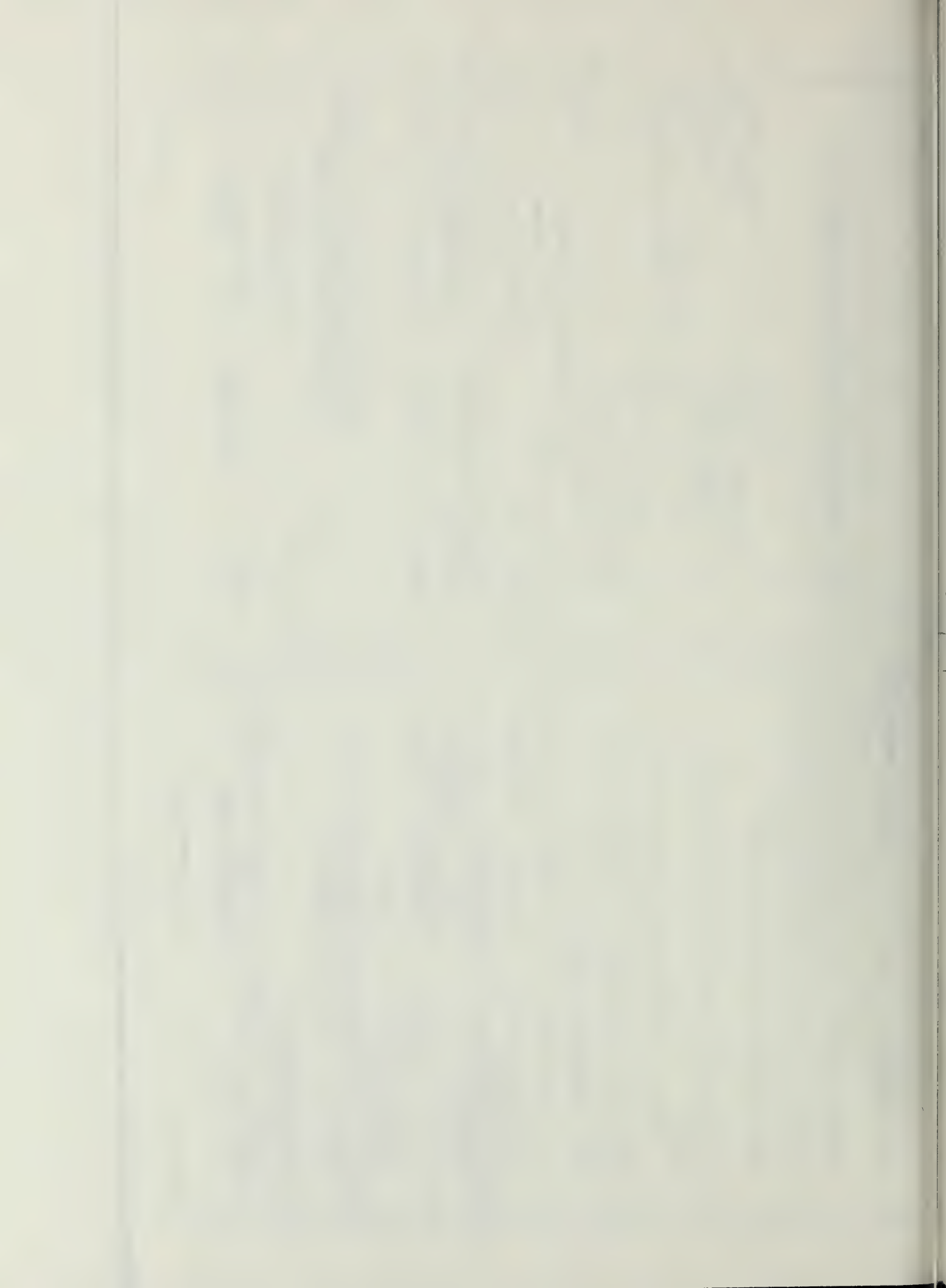
File No.
45-92-40

AUG 18 1992

Date Approved

ACTING Clerk

Mayor



RO # 92030

[SETTLEMENT OF LAWSUIT]

1 AUTHORIZING SETTLEMENT OF LITIGATION OF PAUL CHAN AGAINST ALI FEROZ
 2 AND THE CITY AND COUNTY OF SAN FRANCISCO FOR \$12,000

3
 4
 5 Be it ordained by the People of the City and County of San Francisco:
 6 Section I. The City Attorney is hereby authorized to settle
 7 the action entitled "PAUL CHAN v. ALI FEROZ, CITY AND COUNTY OF SAN
 8 FRANCISCO, et al., "Superior Court No. 934-426, by the payment of
 9 \$12,000.

APPROVED AS TO FORM
AND RECOMMENDED:

10
 11 LOUISE H. REINE
 12 City Attorney

RECOMMENDED:

13
 14
 15 *Kimberly Riley Clement*
 16 KIMBERLY RILEY CLEMENT
 17 Chief Trial Deputy

Marvin Weistlinger
 MARVIN WEISTLINGER
 Director, Purchasing Department

FUNDS AVAILABLE:

APPROVED:

18
 19
 20 EDWARD M. HARRINGTON
 21 Controller

Rudolf Nothenberg
 RUDOLF NOTHENBERG
 Chief Administrative Officer

JUL 01 1992

22 01 001 97 09 91
 23 309682 1450 \$12,000.00

BOARD OF SUPERVISORS

DOCUMENTS DEPT.

SEP 1 1992

SAN FRANCISCO

Board of Supervisors, San Francisco

Passed for Second Reading

\$ Finally Passed

August 3, 1992

\$ August 10, 1992

Ayes: Supervisors Achtenberg Alioto
 Britt Conroy Gonzalez Hallinan
 Hsieh Shelley

\$ Ayes: Supervisors Alioto Britt
 Conroy Gonzalez Hallinan Kennedy
 Maher Migden Shelley

Absent: Supervisors Kennedy Maher
 Migden

\$ Absent: Supervisors Achtenberg
 Hsieh

I hereby certify that the foregoing ordinance
 was finally passed by the Board of Supervisors
 of the City and County of San Francisco

ACTING Clerk

File No.
45-92-41

AUG 18 1992

Date Approved

Mayor

[SETTLEMENT OF LAWSUIT]

RO #92035

AUTHORIZING SETTLEMENT OF LITIGATION OF STEPHEN H. SOO AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for \$6,500.

Be it ordained by the People of the City and County of San Francisco: Section I. The City Attorney is hereby authorized to settle the action entitled "STEPHEN H. SOO V. CITY AND COUNTY OF SAN FRANCISCO, et al.," United States District Court No. C90-3699 FMS, by the payment of \$6,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

RECOMMENDED:
DEPARTMENT OF PUBLIC WORKS

KIMBERLY CLEMENT
Chief Trial Deputy

JOHN CRIBBS
Director

FUNDS AVAILABLE:

APPROVED:

CONTROLLER

01 001 97 09 90
309674 1450 \$6,500.00

CHIEF ADMINISTRATIVE OFFICER

JUL 15 1992

56191

BOARD OF SUPERVISORS

DOCUMENTS DEPT.

SEP 1 1992

SAN FRANCISCO

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed

August 3, 1992 \$ August 10, 1992

Ayes: Supervisors Achtenberg Alloto
Britt Conroy Gonzalez Hallinan
Hsieh Shelley

Ayes: Supervisors Alloto Britt
Conroy Gonzalez Hallinan Kennedy
Maher Migden Shelley

Absent: Supervisors Kennedy Maher
Migden

Absent: Supervisors Achtenberg
Hsieh

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

File No.
45-92-43

AUG 18 1992

Date Approved

ACTING CLERK

Mayor

[SETTLEMENT OF LAWSUIT]
 AUTHORIZING SETTLEMENT OF LITIGATION OF DEBORAH De'ANGELIS and JAMES De'ANGELIS
 AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR \$17,500.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action
 entitled "DEBORAH De'ANGELIS and JAMES De'ANGELIS V. THE CITY AND COUNTY OF SAN
 FRANCISCO, et al.," Superior Court No. 914-116, by the payment of \$17,500.

APPROVED AS TO FORM
 AND RECOMMENDED:

LOUISE H. RENNE
 CITY ATTORNEY

KIMBERLY A. CLEMENT
 Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

JOHN E. CRIBBS, Director

APPROVED:

RUDOLF NOTHENBERG
 Chief Administrative Officer

FUNDS AVAILABLE:

01 001 97 09 90

309674 1450 \$17,500.00

JUL 15 1992

BOARD OF SUPERVISORS

DOCUMENTS DEPT.

SEP 1 1992

SAN FRANCISCO

Board of Supervisors, San Francisco

Passed for Second Reading

August 3, 1992

\$ Finally Passed

\$ August 10, 1992

Ayes: Supervisors Achtenberg Alioto
 Britt Conroy Gonzalez Hallinan
 Hsieh Shelley

\$ Ayes: Supervisors Alioto Britt
 Conroy Gonzalez Hallinan Kennedy
 Maher Migden Shelley

Absent: Supervisors Kennedy Maher
 Migden

\$ Absent: Supervisors Achtenberg
 Hsieh

I hereby certify that the foregoing ordinance
 was finally passed by the Board of Supervisors
 of the City and County of San Francisco

ACTING Clerk

AUG 18 1992

File No.
 45-92-44

Date Approved

Mayor

(SETTLEMENT OF LAWSUIT.)

AUTHORIZING SETTLEMENT OF STEPHEN JONES V. NANDI D. SUNDARAM, ET AL., UPON RECEIPT OF THE SUM OF \$7,500.00 AND DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Municipal Court No. 927043 entitled "Stephen Jones, Plaintiff, v. Nandi D. Sundaram, et al., Defendants" by acceptance of the sum of \$7,500.00, and by dismissing complaint.

Section 2. Upon receipt of said sum of \$7,500.00 and appropriate paperwork the City Attorney is authorized to dismiss said complaint.

APPROVED AND RECOMMENDED:

LOUISE H. RENN
City Attorney

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Kimberly A. Reilly
KIMBERLY A. REILLY CLEMENT
Chief Trial Deputy

By Pam Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

33333333

BOARD OF SUPERVISORS

SEP 1 1992

SAN FRANCISCO

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed
August 3, 1992 \$ August 10, 1992

Ayes: Supervisors Achtenberg Alioto
Britt Conroy Gonzalez Hallinan
Haieh Shelley

Ayes: Supervisors Alioto Britt
Conroy Gonzalez Hallinan Kennedy
Maier Migden Shelley

Absent: Supervisors Kennedy Maher
Migden

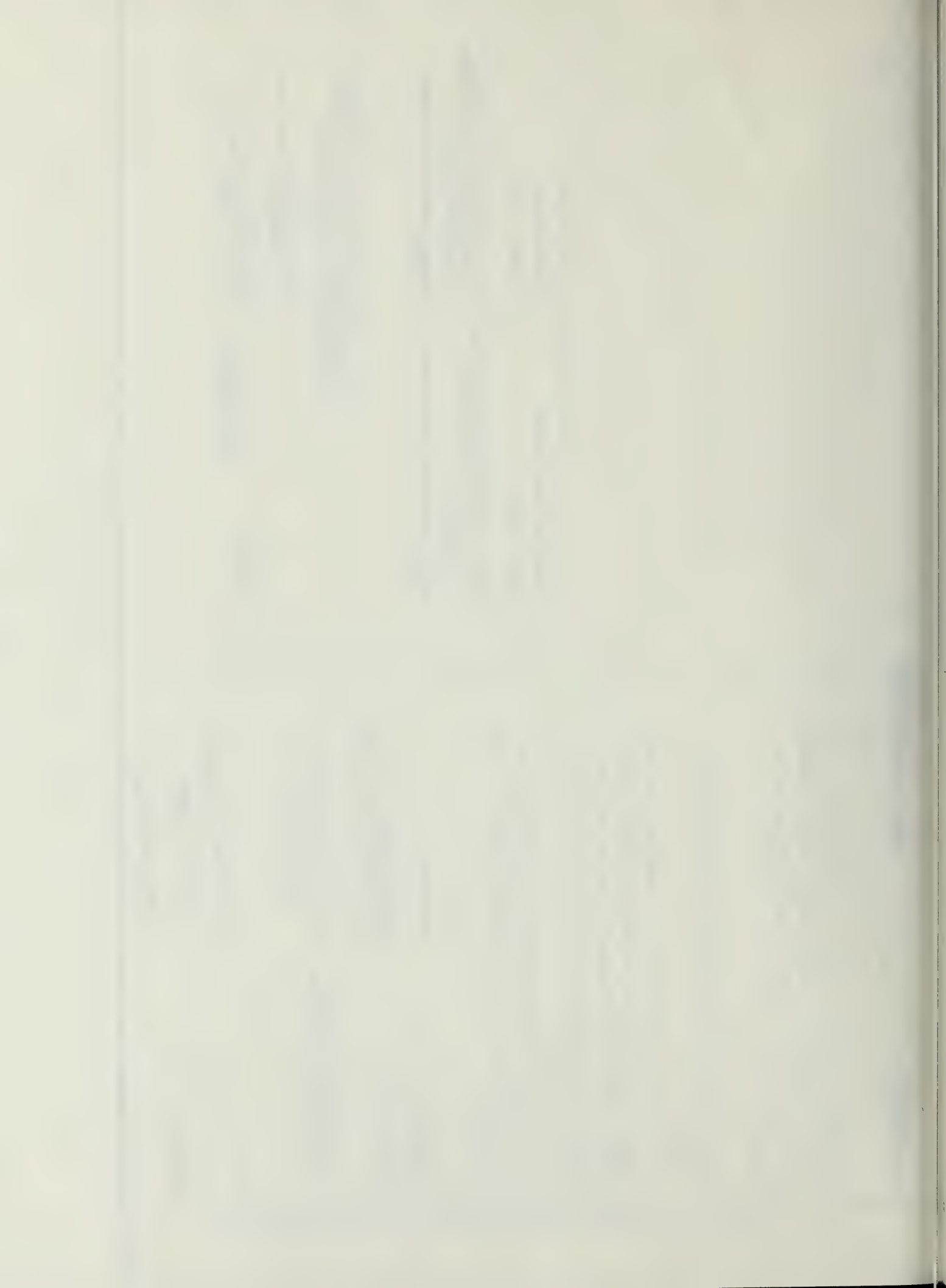
Absent: Supervisors Achtenberg
Haieh

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

Jan. Lee
ACTING Clerk

Frank R. Soto
Mayor

File No. 46-92-11
AUG 18 1992
Date Approved



(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF MARY JEAN STALION V. BARRY ROSS, LORENCE VOGT, ET AL., UPON RECEIPT OF THE SUM OF \$7,750.00 AND DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 934430 entitled "Mary Jean Stalions, Plaintiff, v. Barry Ross, Lorence Vogt, et al., Defendants" by acceptance of the sum of \$7,750.00, and by dismissing complaint.

Section 2. Upon receipt of said sum of \$7,750.00 and appropriate paperwork the City Attorney is authorized to dismiss said complaint.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Kimberly A. Renne
KIMBERLY A. RENNE
Chief Trial Deputy

By Pam Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

33184716

33184716

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading § Finally Passed

August 3, 1992 § August 10, 1992

Ayes: Supervisors Achtenberg Alloto
Britt Conroy Gonzalez Hallinan
Haieih Shelley

Ayes: Supervisors Alloto Britt
Conroy Gonzalez Hallinan Kennedy
Maher Migden Shelley

Absent: Supervisors Kennedy Maher
Migden

Absent: Supervisors Achtenberg
Haieih

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

File No.
46-92-12

AUG 18 1992

Date Approved

ACTING Clerk

Mayor

[Settlement of Lawsuit]

AUTHORIZING SETTLEMENT OF LITIGATION OF CITY AND COUNTY OF SAN FRANCISCO V. LORETTA R. VARNI ADMINISTRATRIX OF THE ESTATE OF DOLORES WOOLDRIDGE DECEASED AND CONSOLIDATED ACTION LORETTA R. VARNI INDIVIDUALLY, AND AS ADMINISTRATRIX V. CCSE, ET AL. BY ACCEPTING CONSIDERATION IN THE TOTAL AMOUNT OF \$100,000 PAYABLE IN CASH AND IN THE FORM OF A STIPULATED JUDGMENT AGAINST THE ESTATE OF DOLORES WOOLDRIDGE AND BY ACCEPTING AN INDEMNITY AGREEMENT FROM THE ADMINISTRATRIX OF THE ESTATE OF DOLORES WOOLDRIDGE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The Tax Collector Attorney is hereby authorized and directed to settle the controversy in San Francisco Superior Court No. 918696 (consolidated with No. 903033) entitled City and County of San Francisco v. Loretta R. Varni, Administratrix of the Estate of Dolores Wooldridge by accepting the total amount of \$100,000 payable as follows: \$10,000 payable from the Regents of the University of California on the date this Ordinance is enacted. Said \$10,000 payment is to be accompanied by a written indemnity agreement under which the administratrix of the Wooldridge estate agrees to indemnify U.C. and the City and County of San Francisco from all damages arising from any

BOARD OF SUPERVISORS

SEP 1 1992

SAN FRANCISCO

claim which Thomas Wooldridge may assert in the cross-complaint to action No. 918696 or the complaint in action no. 903033. The balance of the consideration will be a stipulation for judgment against the Estate of Dolores Wooldridge in the amount of \$90,000 with interest accruing on the \$90,000 at 10% per annum starting on October 1, 1992.

Section 2. The Stipulation for Judgment in the amount of \$90,000 must be signed by the administratrix and delivered to the Tax Collector Attorney and shall be filed in court on the date this Ordinance is enacted. The judgment rendered by the court pursuant to the administratrix's stipulation shall be recorded in the office of the San Francisco County recorder and thereafter have the effect of a lien against all real property of the Estate Dolores Wooldridge until the compromise amount is paid.

Section 3. It is expressly understood that any default in the payment of the amount specified in Section 1 or failure by the administratrix to sign any of the documents specified in Sections 1 and 2 will constitute a failure of the consideration for this settlement agreement and will entitle the San Francisco

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///

BOARD OF SUPERVISORS

1 Bureau of Delinquent Revenue Collection to pursue all of its
2 legal rights as a creditor litigant and defendant in the subject
3 consolidated superior court litigation.
4
5
6

7 RECOMMENDED BY:

8 Thad Brown
9 Thad Brown,
10 Tax Collector

11 APPROVED BY:

12 Mary J. Callanan
13 Mary J. Callanan,
14 Treasurer

15 APPROVED AS TO FORM

16 Louise H. Remne, City Attorney

17 By: Thad R. Foley
18 Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading

August 3, 1992

Ayes: Supervisors Achtenberg Alloto	5	Finally Passed
Brito Conroy Gonzalez Hallinan	5	
Helen Shelley	5	August 10, 1992
Absent: Supervisors Kennedy Maher	5	
Migden	5	
	5	Ayes: Supervisors Alloto Brito
	5	Conroy Gonzalez Hallinan Kennedy
	5	Maher Migden Shelley
	5	Absent: Supervisors Achtenberg
	5	Helen

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

David J. Dunn
ACTING CLERK

File No.
46-92-13

AUG 18 1992
Date Approved

Frank M. Maher
Mayor

(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF STEVEN C. FLAHAVEN V. RICHARD A. LA CAVA, ET AL., AND RELATED ACTIONS, UPON RECEIPT OF THE SUM OF \$7,500.00 LESS ONE-HALF COSTS AND DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Municipal Court Consolidated Action No. 021668 entitled "Steven C. Flahaven, Plaintiff, v. Richard A. La Cava, et al., Defendants" and related actions by acceptance of the sum of \$7,500.00 less one-half costs from the Defendants, and by dismissing complaint.

Section 2. Upon receipt of said sum of \$7,500.00 less one-half costs and appropriate paperwork the City Attorney is authorized to dismiss said actions.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By Kimberly A. Reiley-Clement
KIMBERLY A. REILEY-CLEMENT
Chief Trial Deputy

3318d/14

3318d114

BOARD OF SUPERVISORS

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Pam Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

DOCUMENTS DEPT.

SEP 1 1992

SAN FRANCISCO

Board of Supervisors, San Francisco

Passed for Second Reading § Finally Passed
August 3, 1992 § August 10, 1992

Ayes: Supervisors Achtenberg Alloto
Britt Conroy Gonzalez Hallinan
Hsieh Shelley

§ Ayes: Supervisors Alloto Britt
Conroy Gonzalez Hallinan Kennedy
Maher Migden Shelley

Absent: Supervisors Kennedy Maher
Migden

§ Absent: Supervisors Achtenberg
Hsieh

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

File No.
46-92-14

AUG 18 1992

Date Approved

Joseph S. Lee
ACTING Clerk

Frank P. S. Lee
Mayor

(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF CITY AND COUNTY OF SAN FRANCISCO, V.
JOHN LLOYD HIPPI, ET AL., UPON RECEIPT OF THE SUM OF \$7,500.00 AND
DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San
Francisco:

Section 1. The City Attorney is hereby authorized and
directed to settle San Francisco Municipal Court No.
entitled "City and County of San Francisco, Plaintiff, v. John
Lloyd Hipp, et al., Defendants" by acceptance of the sum of
\$7,500.00, from the defendants and dismissing complaint.

Section 2. Upon receipt of said sum of \$7,500.00 and
appropriate paperwork the City Attorney is authorized to dismiss
said complaint.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Kimberly A. Reiley-Clement
KIMBERLY A. REILEY-CLEMENT
Chief Trial Deputy

By Pam Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

DOCUMENTS DEPT.

SEP 1 1992

SAN FRANCISCO

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed
August 3, 1992 \$ August 10, 1992

Ayes: Supervisors Achtenberg Alloto
Britt Conroy Gonzalez Hallinan
Haiech Shelley

Ayes: Supervisors Alloto Britt
Conroy Gonzalez Hallinan Kennedy
Maher Migden Shelley

Absent: Supervisors Kennedy Maher
Migden

Absent: Supervisors Achtenberg
Haiech

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

Janet Lane
ACTING Clerk

Charles W. Jones
Mayor

File No.
46-92-15

AUG 18 1992
Date Approved

1 APPROPRIATING \$9,916 FOR CAPITAL IMPROVEMENT PROJECT (HALL OF JUSTICE PARKING
 2 LOT EXPANSION) AND CERTIFYING \$9,916 FROM CAPITAL IMPROVEMENT PROJECT (HALL
 3 OF JUSTICE PARKING LOT EXPANSION). TO COVER OVERAGE ABOVE TEN PERCENT (10%)
 4 OF CONTRACTED AMOUNT PURSUANT TO PROVISIONS OF CHARTER SECTION 7.203;
 5 PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN, PUBLIC WORKS FOR
 6 FISCAL YEAR 1992-93.

7 Be it ordained by the People of the City and County of San Francisco

8
 9 Section 1. Funds are hereby appropriated for Fiscal Year 1992-93 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount	
		Debit	Credit
05-617	1990 Correctional Facilities Improvement Bond Fund		
90-06-00	Public Works - Engineering		
Project 102-40	Hall of Justice Parking Lot Expansion		
20-2030 (778498)	Capital Improvement Project	\$9,916	\$9,916

18 Section 2. Although the City has incurred no legal obligations under the Charter, the
 19 Board of Supervisors does hereby appropriate the funds necessary for the
 20 obligation and does hereby ratify the action previously taken.

21 Approved As To Form:

22 Louise H. Renne, City Attorney

23 By:

24 *Louise H. Renne*
 Deputy City Attorney

25 Encls 40

Funds Available:

John W. Head
 Controller

DOCUMENTS DEPT

SEP 1 1992

BOARD OF SUPERVISORS

SAN FRANCISCO

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed
 August 3, 1992 \$ August 10, 1992 \$

Ayes: Supervisors Achtenberg Alloto
 Britt Conroy Gonzalez Hallinan
 Haiech Shelley

Ayes: Supervisors Alioto Britt
 Conroy Gonzalez Hallinan Kennedy
 Maher Migden Shelley

Absent: Supervisors Kennedy Maher
 Migden

Absent: Supervisors Achtenberg
 Haiech

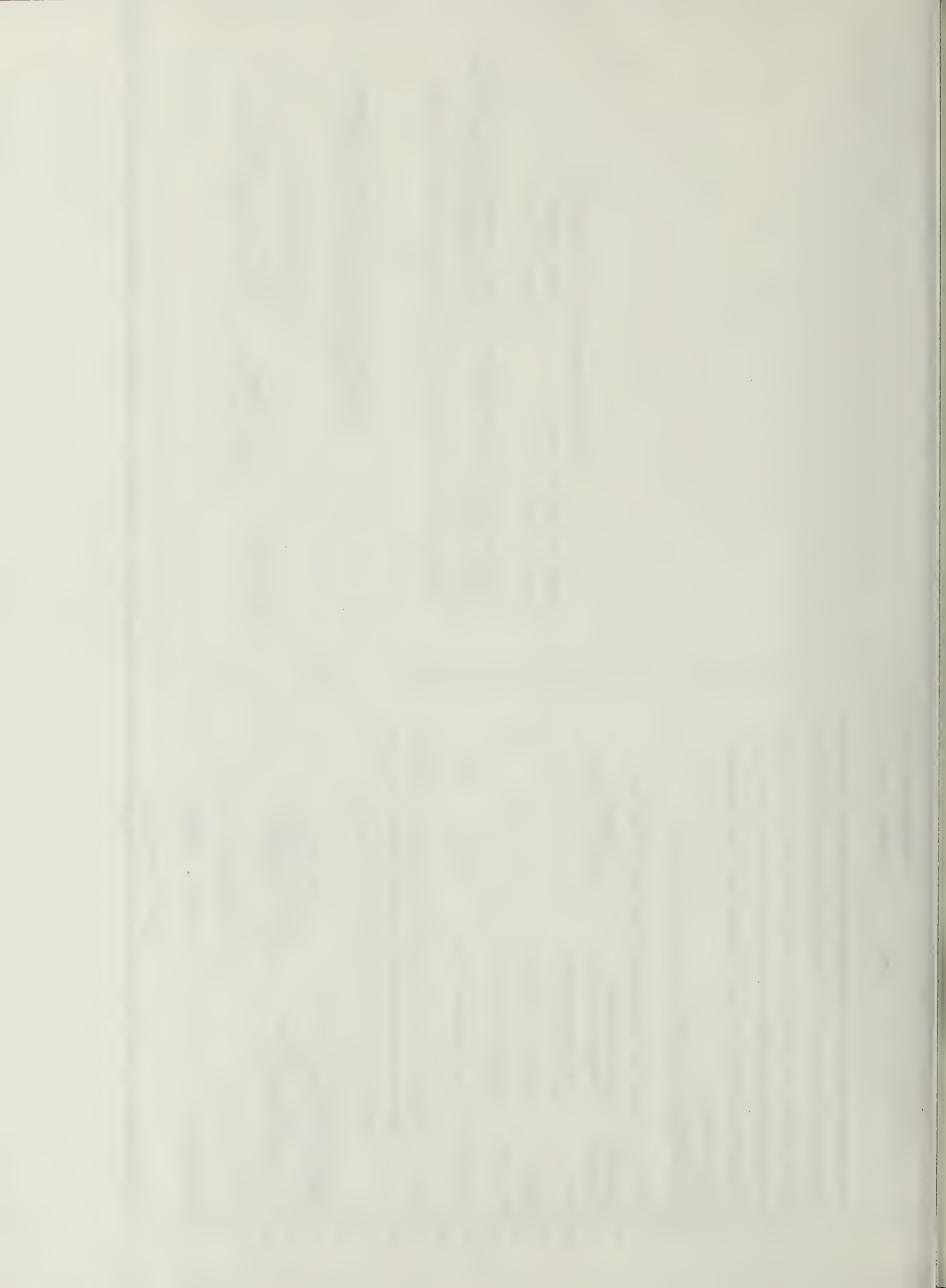
I hereby certify that the foregoing ordinance
 was finally passed by the Board of Supervisors
 of the City and County of San Francisco

ACTING Clerk

AUG 18 1992

Date Approved

File No.
 101-92-5



(Redevelopment Plan Amendment)

1 AMENDING ORDINANCE NO. 14-81, AMENDED BY ORDINANCE NO. 50-84, AMENDED
 2 BY ORDINANCE NO. 405-91, AMENDED BY ORDINANCE NO. 137-92, APPROVING
 3 THE REDEVELOPMENT PLAN FOR THE RINCON POINT - SOUTH BEACH REDE-
 4 VELOPMENT PROJECT AREA BY AMENDING SAID PLAN TO EXPAND THE PROJECT
 5 AREA BY ADDING LAND TO THE RINCON POINT SUB-AREA OF THE PROJECT
 6 AREA, SPECIFICALLY THE EASTERN 3,446 SQUARE FEET OF LOT 33 OF ASSES-
 7 SOR BLOCK 3741, BOUNDED BY THE EASTERLY LINE OF THE EXISTING EM-
 8 BARCADERO FREEWAY RIGHT-OF-WAY, (BETWEEN SPEAR AND STEUART STREETS)
 9 AND THE EXISTING WESTERLY BOUNDARY OF THE RINCON POINT SUB-AREA,
 10 AND TO EXTEND FOR FIVE (5) YEARS THE AGENCY'S AUTHORITY TO UTILIZE
 11 EMINENT DOMAIN TO ACQUIRE PROPERTY WITHIN THE RINCON POINT - SOUTH
 12 BEACH REDEVELOPMENT PROJECT AREA.

13
 14 WHEREAS, the Redevelopment Plan for the Rincon Point - South Beach Rede-
 15 velopment Project Area was approved and adopted by Ordinance No. 14-81, and said Plan is
 16 incorporated by reference and made a part of this Ordinance; and

17
 18 WHEREAS, the approved Redevelopment Plan is designated by said Ordinance
 19 as the official Redevelopment Plan for the Rincon Point - South Beach Redevelopment Project
 20 Area; and

21
 22 WHEREAS, said Ordinance No. 14-81 approving the Redevelopment Plan for the
 23 Rincon Point - South Beach Redevelopment Project Area was amended by Ordinance No. 50-
 24 84, Ordinance No. 405-91, and by Ordinance No. 137-92, by amending said Plan, and which
 25 Ordinances are by this reference incorporated and made a part hereof with the same force and

BOARD OF SUPERVISORS

DOCUMENTS

SEP 1 1992

SAN FRANCISCO

effect as though set forth fully herein; and

WHEREAS, the Redevelopment Agency of the City and County of San Francisco
 has proposed an amendment to said official Redevelopment Plan; and

WHEREAS, the Redevelopment Agency of the City and County of San Francisco
 has transmitted to this Board of Supervisors, certified copies of its Resolution No. 38-92,
 adopted March 24, 1992, recommending an Amendment to the Redevelopment Plan for the
 Rincon Point - South Beach Redevelopment Project Area, as amended; and

WHEREAS, the City Planning Commission has reviewed said proposed Amend-
 ment to said Redevelopment Plan and has transmitted to this Board of Supervisors certified
 copies of its Resolution No. 13344, adopted April 30, 1992, in which it finds that said Rede-
 velopment Plan, as it is proposed to be amended, is in conformity with the Master Plan of the
 City and County of San Francisco, and recommends said Amendment to this Board of Super-
 visors; and

WHEREAS, this Board of Supervisors has on August 3, 1992, held a pub-
 lic hearing on said recommended Amendment, which public hearing was closed and notice of
 which hearing was published pursuant to Section 33454 of the Health and Safety Code of the
 State of California, and Section 6063 of the Government Code, in the San Francisco Indepen-
 dent, a newspaper of general circulation, printed and published in the City and County of San
 Francisco; and

WHEREAS, on February 7, 1991, the Department of City Planning and the

BOARD OF SUPERVISORS

1 Redevelopment Agency staffs published a Supplement to the Final Environmental Impact Report/
2 Statement for the proposed Amendment to the Rincon Point - South Beach Redevelopment
3 Plan, by which said proposed Amendment was evaluated and certified jointly on August 22,
4 1991 by the City Planning Commission under Motion No. 13158 and the Redevelopment
5 Agency Commission under Resolution No. 216-91; and

6
7 WHEREAS, this Board of Supervisors has received, reviewed and considered
8 said Supplement to the Final Environmental Impact Report/Statement for the Rincon Point
9 - South Beach Redevelopment Plan Amendment;

10
11 NOW THEREFORE BE IT ORDAINED BY THE PEOPLE OF THE
12 CITY AND COUNTY OF SAN FRANCISCO

13
14 Section 1: Purposes and Intent. It is hereby found and determined that the intent
15 of the Board of Supervisors with respect to the Project Area is to expand the Project Area by
16 adding land to the Rincon Point sub-area of the Project Area, specifically the eastern 3,446
17 square feet of Lot 33 of Assessor Block 3741, bounded by the easterly line of the existing
18 Embarcadero Freeway right-of-way (between Spear and Stuart Streets) and the existing west-
19 erly boundary of the Rincon Point sub-area, and to extend for five (5) years the Agency's
20 authority to utilize eminent domain to acquire property within the Rincon Point - South Beach
21 Redevelopment Project Area.

22
23 Section 2. Conformity with Master Plan. It is hereby found and determined that
24 the proposed Amendment to the Redevelopment Plan for the Rincon Point - South Beach
25 Redevelopment Project Area is in conformance with the Master Plan of the City and

BOARD OF SUPERVISORS

1 County of San Francisco.

2
3 Section 3. Conformity with the Community Redevelopment Law in Public Inter-
4 est. It is hereby found and determined that the amended Redevelopment Plan will develop the
5 Project Area in conformity with the Community Redevelopment Law and in the interest of the
6 public peace, health, safety and welfare.

7
8 Section 4. Economic Soundness and Feasibility. It is hereby found and deter-
9 mined that the adoption and carrying out of the amended Redevelopment Plan is economically
10 sound and feasible.

11
12 Section 5: Effectuation of Purposes and Policy of Law. It is hereby found and
13 determined that the carrying out of the amended Redevelopment Plan would effectuate the
14 Purposes and Policy of the Community Redevelopment Law.

15
16 Section 6: This Board of Supervisors hereby finds, determines and declares that
17 the Amendment to the Redevelopment Plan for the Rincon Point - South Beach Redevelopment
18 Project Area, which have been proposed and recommended by the Redevelopment Agency of
19 the City and County of San Francisco, as set forth in that Agency's Resolution No. 38-92,
20 adopted March 24, 1992, are necessary and desirable and the same are hereby approved and
21 adopted.

22
23 Section 7: This Board of Supervisors further hereby finds, determines and de-
24 clares that within the Rincon Point - South Beach Redevelopment Project Area are presently
25 included certain lands, buildings and improvements which are not individually detri-

BOARD OF SUPERVISORS

1 mental to the public health, safety and welfare but which are necessary for the effective
2 redevelopment of said Redevelopment Project Area. These certain lands, buildings and im-
3 provements were not included for the purpose of obtaining an allocation of tax increment
4 revenues from said Redevelopment Project Area pursuant to Section 33670 of the Health and
5 Safety Code of the State of California.

6
7 Section 8: Ordinance No. 14-81, adopted on January 5, 1981, as amended by
8 Ordinance No. 50-84 on January 23, 1984, by Ordinance No. 405-91 on November 25, 1991,
9 and by Ordinance No. 137-92 on May 11, 1992 is hereby further amended by this Ordinance.
10 The Amended Redevelopment Plan for the Rincon Point - South Beach Redevelopment Project
11 Area, as revised, will include an expanded Redevelopment Project Area through the addition
12 of land to the Rincon Point sub-area of the Project Area, specifically the eastern 3,446 square
13 feet of Lot 33 of Assessor Block 3741, bounded by the easterly line of the existing Embar-
14 cadero Freeway right-of-way (between Spear and Steuart Streets) and the existing westerly
15 boundary of the Rincon Point sub-area, and an extension for five (5) years the Agency's
16 authority to utilize eminent domain to acquire property within the Rincon Point - South Beach
17 Redevelopment Project Area.

18
19 Section 9: Redevelopment of the Amended Project Area. It is hereby found and
20 determined that the elimination of blight and the redevelopment of the Amended Project

21
22 Section 10: Tax Increment Financing and the Potential for Financial Burden. It
23 is hereby found and determined that the effect of Tax Increment Financing will not cause a
24 severe financial burden or detriment on any taxing agency deriving revenues from the Project
25 Area.

BOARD OF SUPERVISORS

1 A copy of the proposed Redevelopment Plan Amendment for the Rincon Point - South Beach
2 Redevelopment Project Area is on file in the office of the Clerk of the Board of Supervisors
3 of the City and County of San Francisco. By this reference, the Amended Redevelopment
4 Plan for Rincon Point - South Beach is incorporated in and made a part of this Ordinance with
5 the same force and effect as though set forth fully herein.

6
7
8 APPROVED AS TO FORM:

9
10 Louise H. Retine, City Attorney

11
12
13
14 By: Thodore R. Foley
15 Deputy City Attorney

16
17
18
19
20
21
22
23
24
25
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

§ Finally Passed

August 3, 1992

§ August 10, 1992

Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hallinan Shelley

§ Ayes: Supervisors Alioto Britt
Gonzalez Hallinan Kennedy Migden
Shelley

Noes: Supervisors Conroy Maher

§ Noes: Supervisors Conroy Maher

Absent: Supervisors Hesieh Kennedy
Migden

§ Absent: Supervisors Achtenberg
Hesieh

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

John J. ...
ACTING CLERK

File No.
51-92-1.1

AUG 18 1992

Date Approved

David M. ...
Mayor

(Redevelopment Plan Amendment)

AMENDING ORDINANCE NO. 273-64, AMENDED BY ORDINANCE NO. 264-70, AMENDED BY ORDINANCE NO. 288-76, AMENDED BY ORDINANCE NO. 491-86, AMENDED BY ORDINANCE NO. 452-87, APPROVING THE REDEVELOPMENT PLAN FOR THE WESTERN ADDITION REDEVELOPMENT PROJECT AREA A-2 BY AMENDING SAID PLAN TO (1) INCREASE THE LIMITATION ON THE NUMBER OF TAX INCREMENT FUNDS THAT MAY BE DIVIDED AND ALLOCATED TO THE REDEVELOPMENT AGENCY FOR USE UNDER THE REDEVELOPMENT PLAN, SPECIFICALLY TO INCREASE THE LIMITATION FROM \$65.3 MILLION TO \$190.3 MILLION; (2) EXTEND THE TIME, FROM OCTOBER 13, 1994 TO OCTOBER 13, 2000 FOR THE ESTABLISHMENT OR INCURRENCE BY THE REDEVELOPMENT AGENCY OF ANY LOANS, ADVANCES, OR INDEBTEDNESS TO FINANCE THE PROJECT IN WHOLE OR IN PART AND TO BE REPAYED FROM THE ALLOCATION OF TAXES PURSUANT TO SECTION 33670 OF THE CALIFORNIA HEALTH AND SAFETY CODE; AND (3) EXTEND THE TIME LIMIT FROM 30 TO 36 YEARS AFTER THE ORIGINAL 1964 PLAN ADOPTION DATE, FOR THE ESTABLISHMENT OF, OR INCURRENCE OF, LOANS, ADVANCES AND INDEBTEDNESS TO FINANCE THE PROJECT IN WHOLE OR IN PART.

WHEREAS, the Redevelopment Plan for the Western Addition Redevelopment Project Area A-2 was approved and adopted by Ordinance No. 273-64, and said Plan is incorporated by reference and made a part of this Ordinance; and

WHEREAS, the approved Redevelopment Plan is designated by said Ordinance as the official Redevelopment Plan for the Western Addition Redevelopment Project Area A-2; and

BOARD OF SUPERVISORS

SAN FRANCISCO

DOCUMENTS DEPT.

SEP 1 1992

WHEREAS, said Ordinance No. 273-64 approving the Redevelopment Plan for the Western Addition Redevelopment Project Area A-2 was amended by Ordinance No. 264-70, Ordinance No. 288-76, Ordinance No. 491-86, and Ordinance No. 452-87, by amending said Plan, and which Ordinances are by this reference incorporated and made a part hereof with the same force and effect as though set forth fully herein; and

WHEREAS, the Redevelopment Agency of the City and County of San Francisco has proposed an amendment to said official Redevelopment Plan; and

WHEREAS, the Redevelopment Agency of the City and County of San Francisco has transmitted to this Board of Supervisors, certified copies of its Resolution No. 109-92, adopted June 9, 1992, recommending an Amendment to the Redevelopment Plan for the Western Addition Redevelopment Project Area A-2, as amended; and

WHEREAS, this Board of Supervisors has on August 3, 1992, held a public hearing on said recommended Amendment, which public hearing was closed and notice of which hearing was published pursuant to Section 33454 of the Health and Safety Code of the State of California, and Section 6063 of the Government Code, in the San Francisco Independent, a newspaper of general circulation, printed and published in the City and County of San Francisco; and

WHEREAS, it has been determined that this proposed Amendment to the Redevelopment Plan for the Western Addition Redevelopment Project Area A-2 is statutorily exempt from the California Environmental Quality Act (CEQA) of 1970, as amended, under section 15061 (b) (3):

BOARD OF SUPERVISORS

NOW THEREFORE BE IT ORDAINED BY THE PEOPLE OF THE
CITY AND COUNTY OF SAN FRANCISCO

Section 1: Purposes and Intent. It is hereby found and determined that the intent of the Board of Supervisors with respect to the Project Area is to (1) increase the limitation on the number of tax increment funds that may be divided and allocated to the Redevelopment Agency for use under the Redevelopment Plan, specifically to increase the limitation from \$65.3 million to \$190.3 million; (2) extend the time, from October 13, 1994 to October 13, 2000 for the establishment or incurrence by the Redevelopment Agency of any loans, advances, or indebtedness to finance the Project in whole or in part and to be repaid from the allocation of taxes pursuant to Section 33670 of the California Health and Safety Code; and (3) extend the time limit from 30 to 36 years after the original 1964 plan adoption date, for the establishment of, or incurrence of, loans, advances and indebtedness to finance the Project in whole or in part.

Section 2. Conformity with Master Plan. It is hereby found and determined that the proposed Amendment to the Redevelopment Plan for the Western Addition Redevelopment Project Area A-2 is in conformance with the Master Plan of the City and County of San Francisco.

Section 3. Conformity with the Community Redevelopment Law in Public Interest. It is hereby found and determined that the amended Redevelopment Plan will develop the Project Area in conformity with the Community Redevelopment Law and in the interest of the public peace, health, safety and welfare.

Section 4. Economic Soundness and Feasibility. It is hereby found and deter-

mined that the adoption and carrying out of the amended Redevelopment Plan is economically sound and feasible.

Section 5: Effectuation of Purposes and Policy of Law. It is hereby found and determined that the carrying out of the amended Redevelopment Plan would effectuate the Purposes and Policy of the Community Redevelopment Law.

Section 6: This Board of Supervisors hereby finds, determines and declares that the Amendment to the Redevelopment Plan for the Western Addition Redevelopment Project Area A-2, which have been proposed and recommended by the Redevelopment Agency of the City and County of San Francisco, as set forth in that Agency's Resolution No. 109-92, adopted June 9, 1992, are necessary and desirable and the same are hereby approved and adopted.

Section 7: This Board of Supervisors further hereby finds, determines and declares that within the Western Addition Redevelopment Project Area A-2 are presently included certain lands, buildings and improvements which are not individually detrimental to the public health, safety and welfare but which are necessary for the effective redevelopment of said Redevelopment Project Area. These certain lands, buildings and improvements were not included for the purpose of obtaining an allocation of tax increment revenues from said Redevelopment Project Area pursuant to Section 33670 of the Health and Safety Code of the State of California.

Section 8: Ordinance No. 273-64, adopted on October 13, 1964, as amended by Ordinance No. 264-70 on August 3, 1970, by Ordinance No. 288-76 on July 6, 1976, by ordinance No. 491-86 on December 15, 1986, and by Ordinance No. 452-87 on November 9,

1 1987 is hereby further amended by this Ordinance. The Amended Redevelopment Plan for the
2 Western Addition Redevelopment Project Area A-2, as revised, will (1) increase the limitation
3 on the number of tax increment funds that may be divided and allocated to the Redevelopment
4 Agency for use under the Redevelopment Plan, specifically increase the limitation from \$65.3
5 million to \$190.3 million; (2) extend the time, from October 13, 1994 to October 3, 2000 for
6 the establishment or incurrence by the Redevelopment Agency of any loans, advances, or
7 indebtedness to finance the Project in whole or in part and to be repaid from the allocation of
8 taxes pursuant to Section 33670 of the California Health and Safety Code; and (3) extend the
9 time limit from 30 to 36 years after the original 1964 plan adoption date, for the establishment
10 of, or incurrence of, loans, advances and indebtedness to finance the Project in whole or in
11 part.

12
13 Section 9: Redevelopment of the Amended Project Area. It is hereby found and
14 determined that the elimination of blight and the redevelopment of the Amended Project Area
15 could not reasonably be expected to be accomplished by private enterprise acting alone with-
16 out the aid and assistance of the Agency.

17
18 Section 10: Tax Increment Financing and the Potential for Financial Burden. It
19 is hereby found and determined that the effect of Tax Increment Financing will not cause a
20 severe financial burden or detriment on any taxing agency deriving revenues from the Project
21 Area.

22
23 A copy of the proposed Redevelopment Plan Amendment for the Western Addition Redevel-
24 opment Project Area A-2 is on file in the office of the Clerk of the Board of Supervisors of
25 the City and County of San Francisco. By this reference, the Amended Redevelopment Plan

BOARD OF SUPERVISORS

- 5 -

for the Western Addition Redevelopment Project Area A-2 is incorporated in and made a part
of this Ordinance with the same force and effect as though set forth fully herein.

APPROVED AS TO FORM:

Louise H. Renne, City Attorney

By: Frederic R. Sakley
Deputy City Attorney

BOARD OF SUPERVISORS

- 6 -

Board of Supervisors, San Francisco

Passed for Second Reading

August 3, 1992

§ Finally Passed
§
§ August 10, 1992
§
§

Ayes: Supervisors Achtenberg Aljoto
Britt Conroy Gonzalez Hallinan
Shelley

§ Ayes: Supervisors Aljoto Britt
Conroy Gonzalez Hallinan Kennedy
Shelley
§

Noes: Supervisor Maher

§ Noes: Supervisor Maher
§

Absent: Supervisors Helen Kennedy
Migden

§ Absent: Supervisors Achtenberg
Helen
§

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

Paul J. Smith
ACTING CLERK

File No. AUG 18 1992
151-92-2 Date Approved

Paul J. Smith
MAYOR

FIXING SCHEDULES OF COMPENSATION EFFECTIVE JULY 1, 1992, TO BE PAID UNDER THE PROVISIONS OF CHARTER SECTION 8.404 TO EMPLOYEES OCCUPYING CLASSIFICATION 9163 TRANSIT OPERATOR AND RELATED TRAINEE CLASS, AND INCORPORATING BY REFERENCE AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING, PROVISIONS HEREOF TO REMAIN IN EFFECT UNTIL THE ADOPTION OF ANY ORDINANCE ESTABLISHING DIFFERENT PROVISIONS.

Be it ordained by the People of the City and County of San

Francisco:

SECTION 1. This ordinance incorporates by reference all terms of the amended Memorandum of Understanding entered into between the City and County of San Francisco and Transport Workers Union of America, AFL-CIO, and transport Workers union, Local 250-A for fiscal year 1992-93. The provisions of this ordinance shall remain in effect after the end of fiscal year 1992-93 until the passage of an ordinance establishing different provisions.

APPROVED AS TO FORM
LOUISE H. RENNE
CITY ATTORNEY

Julia A. Clayton
DEPUTY CITY ATTORNEY

DOCUMENTS REPT.

SEP 4 1992

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Board of Supervisors, San Francisco

Passed for Second Reading

August 17, 1992

5 Finally Passed

August 24. 1992

**Ayes: Supervisors Achtenberg Alioto
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley**

**Ayes: Supervisors Achtenberg Alioto
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley**

Absent: Supervisor Britt

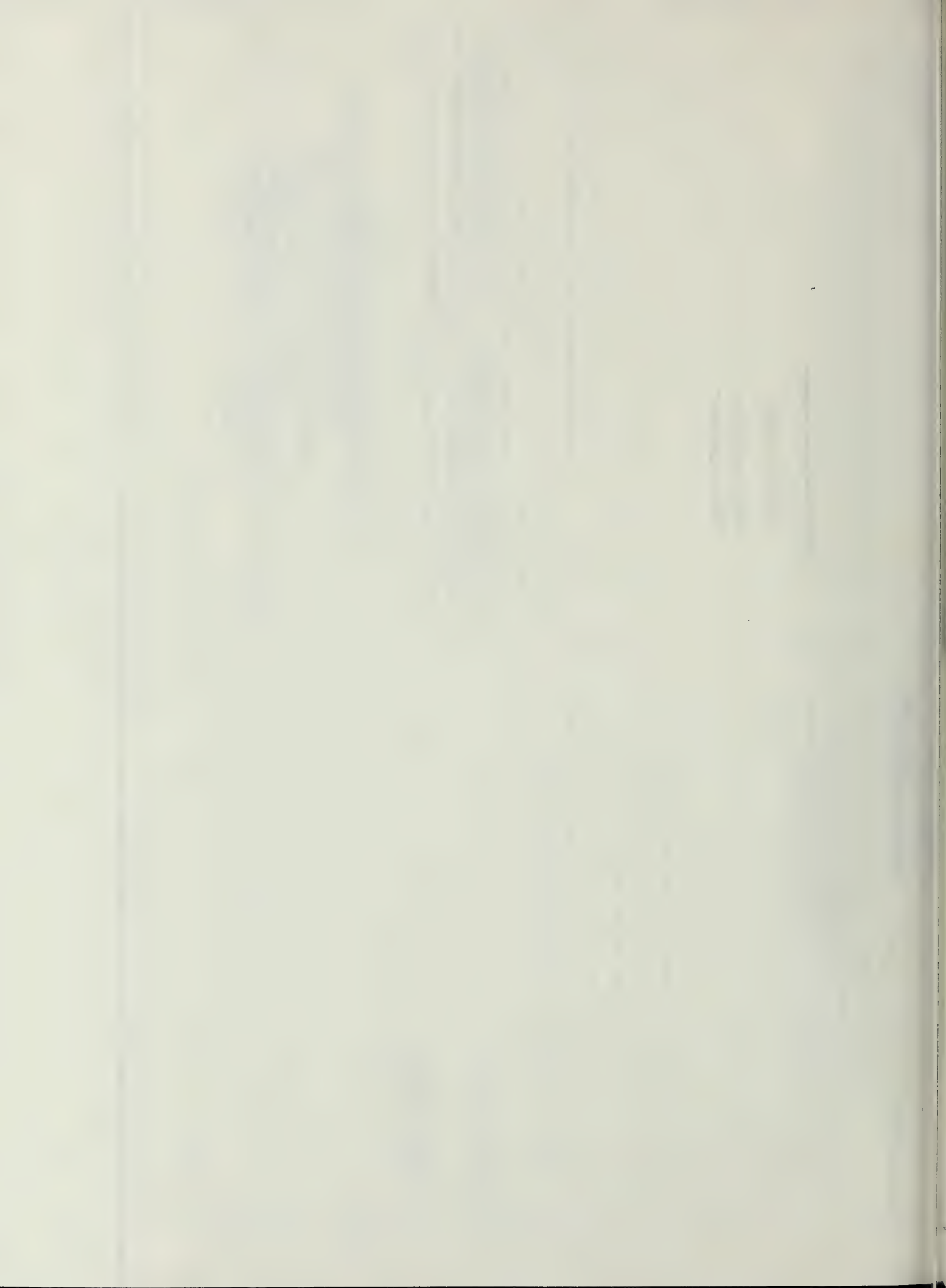
S Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

File No.
104-92-1

AUG 21 1982

Date Approved _____



1 (Garage Lease Documents)

2 APPROVING AND ADOPTING POLK-BUSH GARAGE LEGAL DOCUMENTS AND
3 AUTHORIZATION FOR MANAGEMENT AGREEMENT.
4

5 Be It Ordained by the people of the City and County of San Francisco:
6

7 Section 1. In accordance with the recommendation of the Parking Authority of the City
8 and County of San Francisco, there has been filed with the Clerk of the Board certain documents
9 which consist of:

1. Form for Invitation to Bid
2. Form of Bid
3. Form of Questionnaire
4. Form of Management Agreement

12 Section 2. The legal documents are hereby approved in substantially the form now filed in the
13 office of the Clerk of the Board of Supervisors and are made a part hereof by reference.

14 Section 3. The Director of Property is authorized to request Bids for said management
15 agreement pursuant to and in accordance with the form for Invitation to Bid.
16
17

RECOMMENDED:

APPROVED AS TO FORM:
Louise H. Renne, City Attorney

20 Director, Parking Authority

21 Director of Property

By *[Signature]*
Deputy City Attorney

26 (Real Estate)
27

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SEP 4 1992

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Board of Supervisors, San Francisco

Passed for Second Reading § Finally Passed
August 10, 1992 § August 17, 1992
§

Ayes: Supervisors Alioto Britt §
Conroy Gonzalez Hallinan Kennedy §
Maher Migden Shelley §

Ayes: Supervisors Achtenberg Alioto §
Conroy Gonzalez Hallinan Heieh §
Kennedy Maher Migden Shelley §

Absent: Supervisors Achtenberg §
Haieh §
Absent: Supervisor Britt §

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

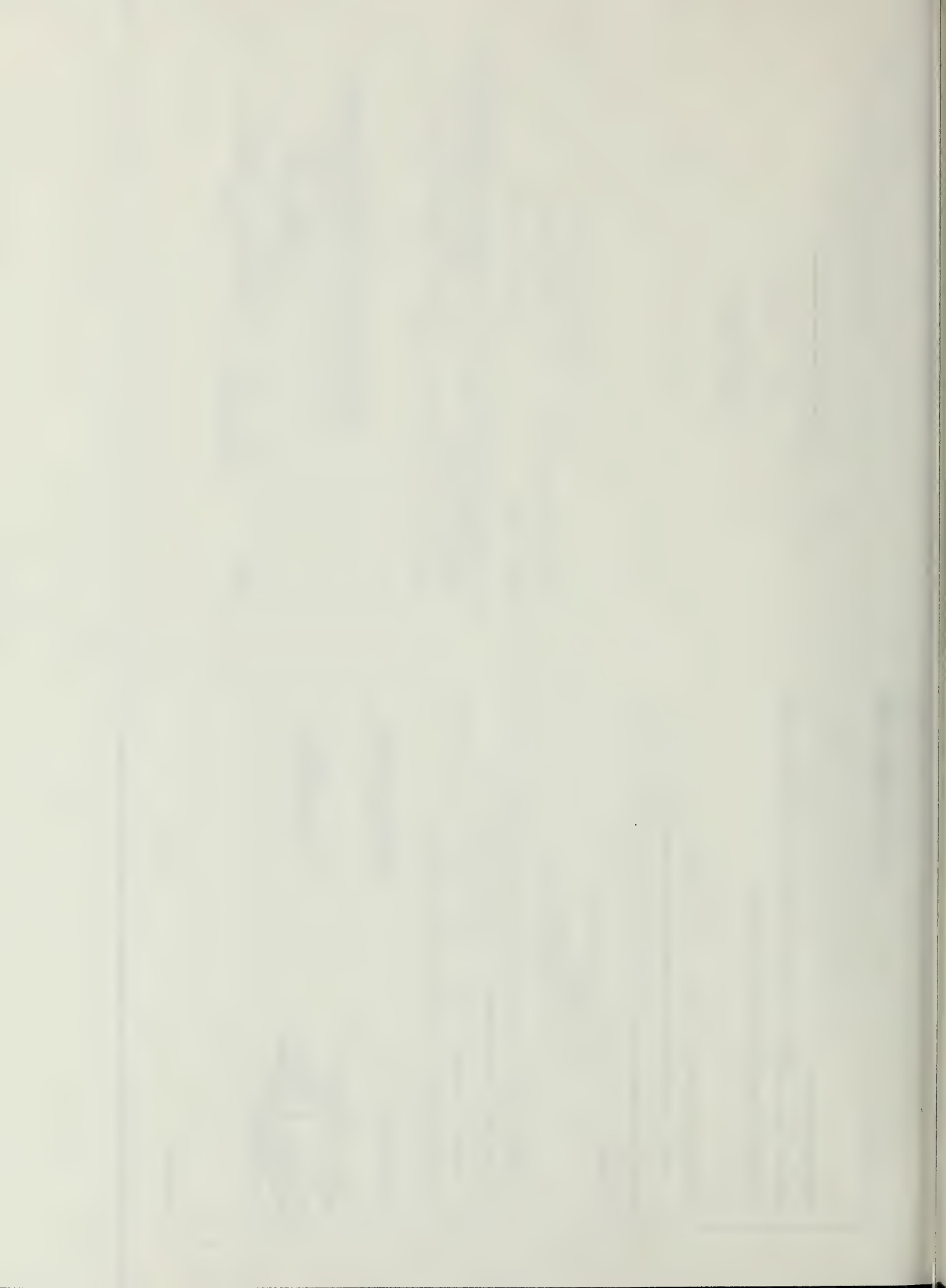
Clerk

File No.
47-92-5

August 1, 1992

Date Approved

Mayor



[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF KAM CHU WONG AGAINST CITY AND COUNTY OF SAN FRANCISCO, ET AL. for \$24,900.

Be it ordained by the People of the City and County of San Francisco:
 Section I. The City Attorney is hereby authorized to settle the action entitled "KAM CHU WONG V. CITY AND COUNTY OF SAN FRANCISCO, et al.," San Francisco Superior Court No. 899-881, by the payment of \$24,900.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
 City Attorney

Kimberly Reilly
 KIMBERLY A. REILLY
 Chief Trial Deputy

RECOMMENDED:

Recreation and Parks Department

Mary E. Burns
 MARY E. BURNS
 General Manager
 Recreation and Parks Department

APPROVED:

RECREATION & PARK COMMISSION

Sharon K. Burns
 Secretary

FUNDS AVAILABLE:

01 001 97 09 42
 620245 1450 \$24,900.00

Edw. W. Harrington
 EDWARD W. HARRINGTON
 Controller

JUL 29 1992

29269

BOARD OF SUPERVISORS

6/02/92

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SEP 4 1992

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Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed
 August 17, 1992 \$ August 24, 1992 \$

Ayes: Supervisors Achtenberg Alioto
 Conroy Gonzalez Hallinan Hsieh
 Kennedy Maher Migden Shelley

\$ Ayes: Supervisors Achtenberg Conroy
 Hallinan Hsieh Kennedy Maher
 Migden Shelley

Absent: Supervisor Britt

\$ Absent: Supervisors Alioto Britt
 Gonzalez

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
 Clerk

AUG 31 1992

File No.
 45-92-45

Date Approved

Frank J. Suter
 Mayor

(Settlement of Litigation)

AUTHORIZED SETTLEMENT OF LITIGATION OF CITY AND COUNTY OF SAN FRANCISCO AGAINST ROBERT C. PRITIKIN FOR ~~\$50,000.00~~ ~~\$45,120.00~~ ~~\$100,000.00~~ ~~\$95,120.00~~ \$100,000.00, \$95,120.00 TO BE PAID TO THE GENERAL FUND AND BUILDING PERMIT PENALTIES OF \$4,880.00 TO BE PAID DIRECTLY TO THE BUREAU OF BUILDING

INSPECTION.

BE IT ORDAINED by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and

directed to settle Superior Court Action No. 937-333, entitled "City and County of San Francisco v. Robert C. Pritikin, et al." by the Payment by the defendants to the City and County of San Francisco of ~~\$50,000.00~~ ~~\$45,120.00~~ ~~\$100,000.00~~ ~~\$95,120.00~~ to be paid to the General Fund and \$4,880.00 to be paid directly to the Bureau of Building Inspection.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

BY Kimberly R. Clement
KIMBERLY R. CLEMENT
Chief Trial Deput.

Lu Blazek
LU BLAZEK
Director of Planning

08126

BOARD OF SUPERVISORS

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SEP 4 1992

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Board of Supervisors, San Francisco

Passed for Second Reading

August 17, 1992

Ayes: Supervisors Achtenberg Britt
Gonzalez Hallinan Hsieh Kennedy
Maher Migden Shelley

Noes: Supervisors Alioto Conroy

\$ Finally Passed

\$ August 24, 1992

Ayes: Supervisors Achtenberg Conroy
Gonzalez Hallinan Hsieh Kennedy
Maher Migden Shelley

Noes: Supervisor Alioto

Absent: Supervisor Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

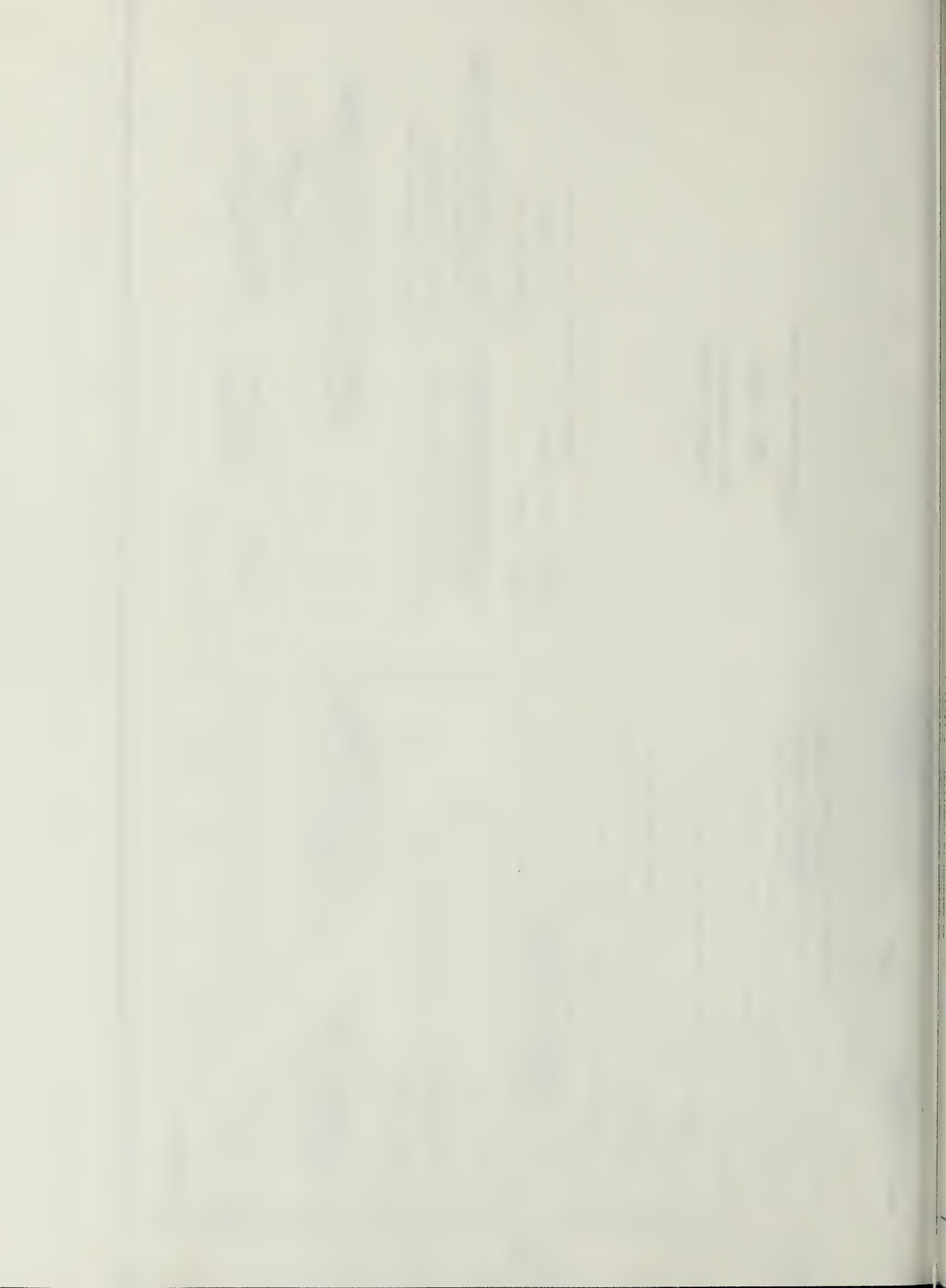
John L. Taylor
Clerk

Richard J. Blum
Mayor

File No.
46-92-5

AUG 31 1992

Date Approved



(Lease of Property)

GJ
8/1

RETROACTIVELY,

AUTHORIZING AND APPROVING/LEASE OF CITY-OWNED PROPERTY AT 1800 OAKDALE AVENUE (SOUTHEAST COMMUNITY FACILITY, NORTHWEST CORNER OF PHELPS STREET AND OAKDALE AVENUE) TO ECONOMIC OPPORTUNITY COUNCIL OF SAN FRANCISCO, A NON-PROFIT CORPORATION

Be It Ordained By The People Of San Francisco:

This Board hereby finds the leasing of the Southeast Community Center at 1800 Oakdale Ave. for the operation of a San Francisco Head Start Program by the Economic Opportunity Council in accordance with the terms and conditions of the lease on file with the Clerk of this Board is for the public purpose and will promote the general welfare of the community by providing childcare for up to 80 children.

Section 2. The Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, as Lessor, are hereby authorized and directed to ^{retroactively} execute said lease.

APPROVED AS TO FORM:

LOUISE RENNE, City Attorney

~~Deputy City Attorney~~

APPROVED:

Inventory, 1980
Southeast Community Facility Commission

Executive Director, Clean Water Program

Director of Property

LTD A/S SHAW CORP.

28

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SEP 4 1992

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Board of Supervisors, San Francisco

Passed for Second Reading

August 17, 1992

**Ayes: Supervisors Achtenberg Alioto
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley**

Absent: Supervisor Britt

S Finally Passed

August 24, 1992

**Ayes: Supervisors Achtenberg Conroy
Hallinan Hsieh Kennedy Maher
Migdon Shelley**

§ Absent: Supervisors Alioto Britt
§ Gonzalez

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

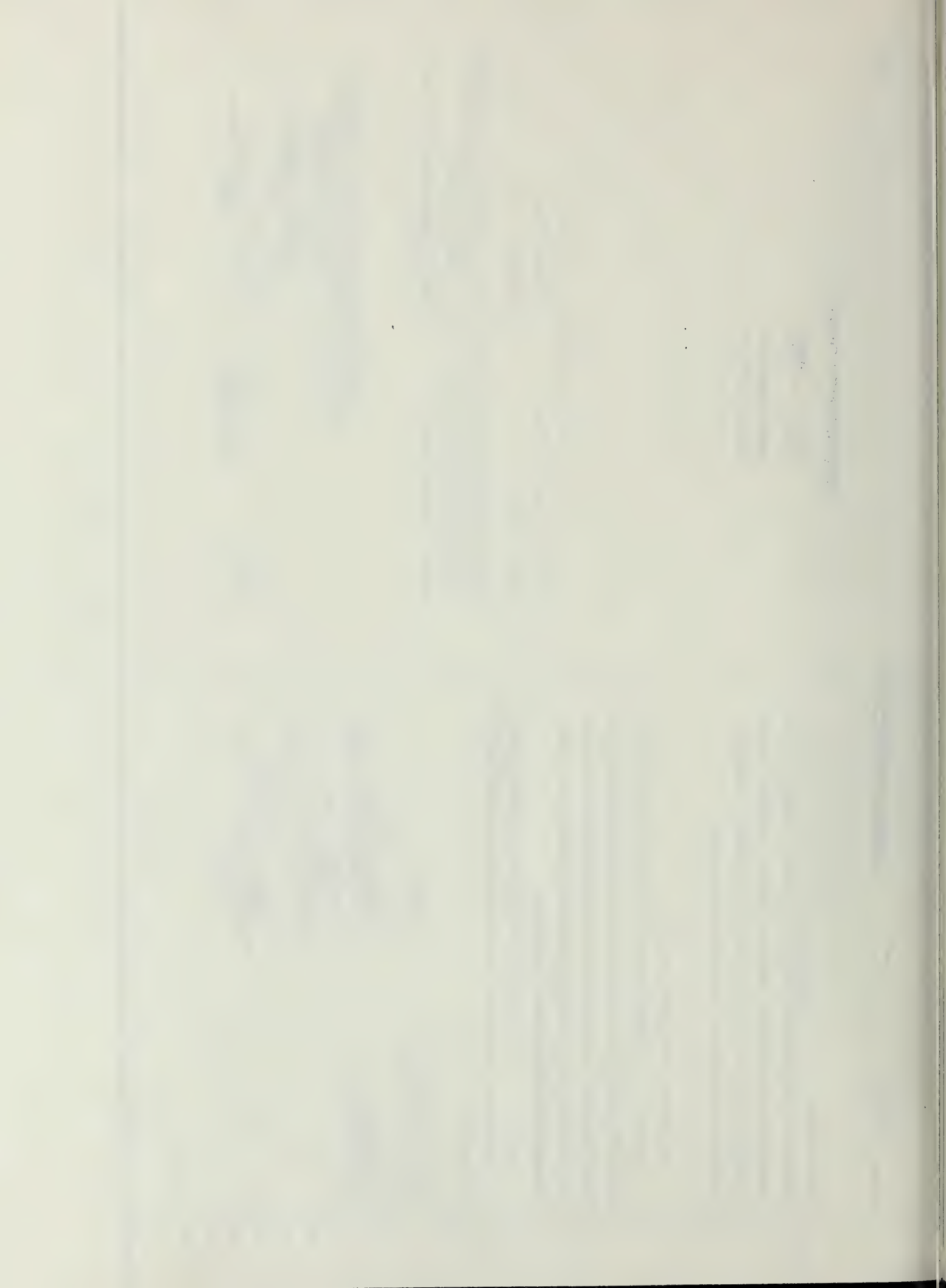
Clerk

File No.
65-92-12

Date Approved _____

104PM

27



AMENDING CHAPTER 10 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 10.117-73 TO REQUIRE THAT THE EMERGENCY MEDICAL SERVICES FUND BE CONTINUED USING PENALTY REVENUES PURSUANT TO GOVERNMENT CODE SECTIONS 76000 AND 76104, TO REQUIRE THAT THE MONEYS IN SUCH FUND BE PAYABLE ONLY FOR THE PURPOSES SPECIFIED IN GOVERNMENT CODE SECTION 76104, AND TO MAKE CHANGES PURSUANT TO RECENT AMENDMENTS TO HEALTH AND SAFETY CODE SECTIONS 1797.98a THROUGH 1797.98g.

Note: Additions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 10, Article XIII of the San Francisco

Administrative Code is hereby amended by amending Section 10.117-73, as follows:

SEC. 10.117-73. EMERGENCY MEDICAL SERVICES FUND.

(a) Continuation ((Establishment)) of Fund. Pursuant to Government Code Section 76104 and Resolution No. 713-92 of the Board of Supervisors of the City and County of San Francisco, ((There is hereby established)) the Emergency Medical Services Fund is hereby continued for the purpose of receiving money obtained from the penalty assessment provided in Government ((Penal)) Code Section 76000 ((11465)).

(b) Use of Fund. Pursuant to Government Code Section 76104, the moneys in such fund, together with any interest earned thereon, shall be payable only for the purposes specified in Chapter 2.5 (commencing with Section 1797.98a) of Division 2.5 of the Health and Safety Code. The administration and use of the fund shall be consistent with the requirements of Health and Safety Code Section

BOARD OF SUPERVISORS

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07/08/92

1797.98a through 1797.98g ((1797.98e)) now in effect or as hereafter amended. Up to, but no more than, 10 percent of the amount of the fund may be used for the costs of administering the fund. Thereafter, (1) 58 percent of the money in the fund shall be used to reimburse claims from physicians for payment for emergency services provided by all physicians, except those physicians employed by county hospitals or district hospitals, in general acute care hospitals that provide basic or comprehensive emergency services up to the time the patient is stabilized, when such services would otherwise be uncompensated, (2) 25 percent of the money in the fund shall be distributed only to hospitals providing disproportionate trauma and emergency medical care services, and (3) 17 percent of the money in the fund shall be distributed for other emergency medical services as determined by the Director of Public Health. Interest earned on the 83 percent portion of the fund to be used to reimburse claims shall be used for the same purpose. Interest earned on the 17 percent portion of the fund to be used for other emergency medical services shall be used for the same purpose. If, of the 83 percent portion of the fund, money remains after reimbursing all appropriate and approved claims for a disbursement period, that money shall only be used to reimburse claims in one or more future disbursement periods.

(c) Administration of Fund. The Director of Public Health shall determine which claims shall be reimbursed by the fund and the appropriate amount of reimbursement, provided that no physicians

BOARD OF SUPERVISORS

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07/08/92

DOCUMENT

SEP 24 1992

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1 shall be reimbursed greater than 50 ((40)) percent of their losses
2 in accordance with Health and Safety Code Section 1797.98c. Since
3 it is anticipated that the fund will only be sufficient to reimburse
4 a fraction of requests for reimbursement from physicians, the
5 Director shall equitably prorate payments so that the amount of
6 payments from the fund is based upon the magnitude of a physician's
7 losses. The Controller shall be responsible for all other
8 administrative duties with respect to the fund, including, but not
9 limited to, establishing procedures and time schedules for the
10 submission and processing of claims. The Controller shall report to
11 the State Legislature on the implementation and status of the fund
12 as required in Health and Safety Code Section 1797.98d. The
13 Controller and the Director of Public Health shall separately or
14 jointly issue rules and regulations governing matters relating to
15 the fund and the reimbursement procedures and limitations.
16 consistent with the requirements of Health and Safety Code sections
17 1797.98a through 1797.98g. ((Such rules and regulations shall be
18 issued within six months of the adoption of this ordinance.))
19 Before issuing or amending any regulations, these officers shall
20 provide a 30-day public comment period by providing published notice
21 in an official newspaper of general circulation in the City of the
22 intent to issue or amend the regulations. The Director of Public
23 Health shall provide a quarterly report to the Budget Analyst of all
24 expenditures made from this fund during the immediately preceding
25 three months. In addition, no expenditures in excess of \$5,000 for

BOARD OF SUPERVISORS

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07/08/92

1 any one payee will be made from this fund without first receiving
2 the approval, by appropriation ordinance, of the Board of
3 Supervisors.
4 (d) Accumulation of Money in Fund. The balance remaining in
5 the Emergency Medical Services Fund at the close of each fiscal year
6 shall be deemed to have been provided for a specific purpose within
7 the meaning of City Charter Section 6.306 and shall be carried
8 forward and accumulated in said fund for the purposes recited
9 herein.
10
11
12

13 APPROVED AS TO FORM:

14 LOUISE H. RENNE
15 City Attorney

16 By: *L.H. Renne*
17 Deputy City Attorney
18
19
20
21
22
23
24
25

BOARD OF SUPERVISORS

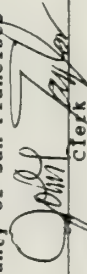
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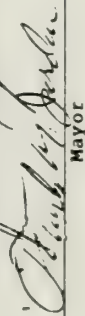
PAGE 4 OF 4 PAGES
07/08/92

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
August 17, 1992	§	August 24, 1992
Ayes: Supervisors Achtenberg Alloto	§	Ayes: Supervisors Achtenberg Alloto
Conroy Hallinan Hsieh Kennedy	§	Conroy Gonzalez Hallinan Hsieh
Maier Migden Shelley	§	Kennedy Maier Migden Shelley
Absent: Supervisors Britt Gonzalez	§	Absent: Supervisor Britt

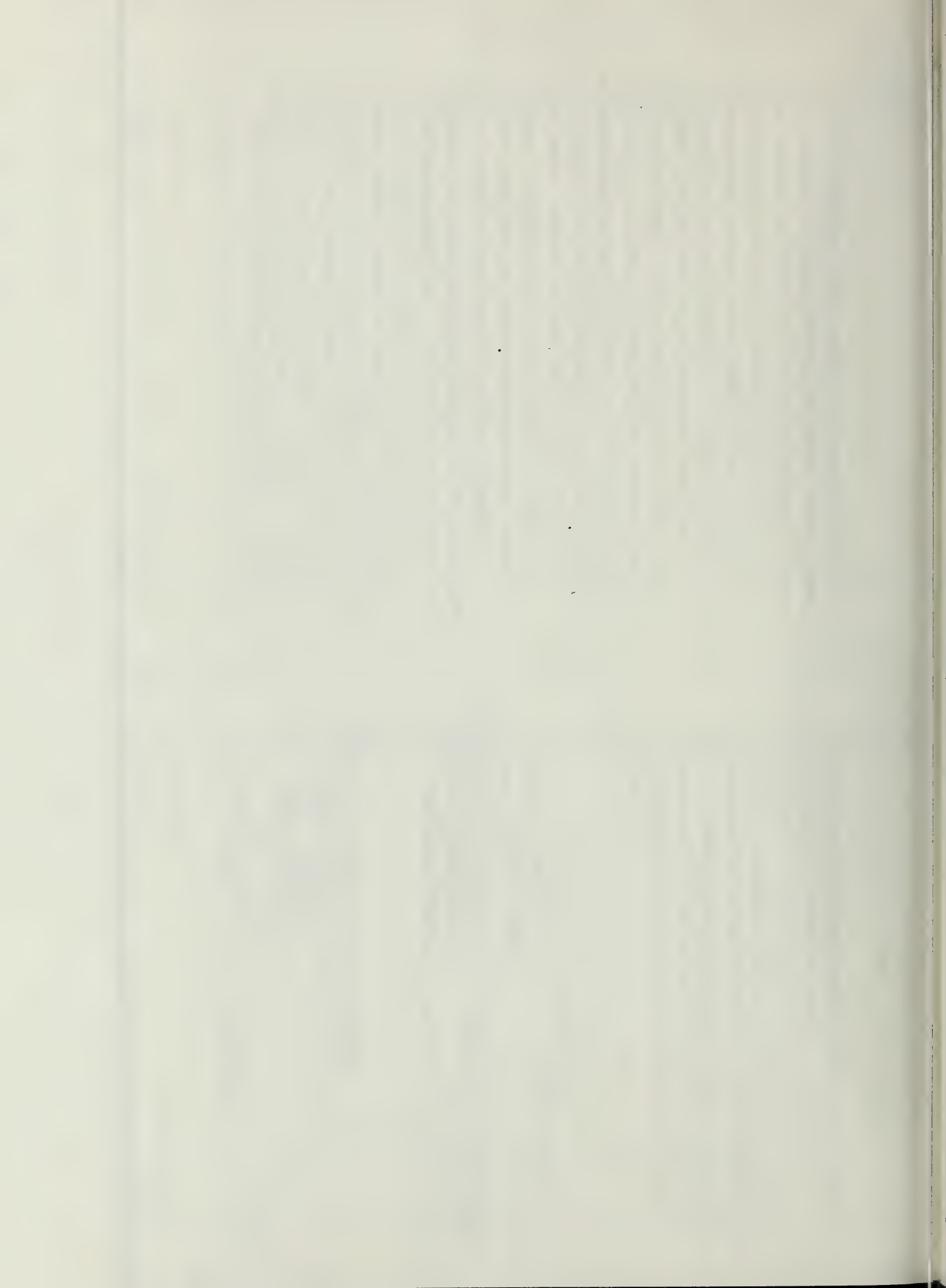
I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco


Clerk


Mayor

File No.
97-92-42

AUG 31 1992
Date Approved



1 AMENDING CHAPTER 10 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY
2 AMENDING SECTION 10.117-108, TO ESTABLISH THE AUTOMATED FINGERPRINT
3 IDENTIFICATION FUND PURSUANT TO GOVERNMENT CODE SECTION 76102 AND
4 RESOLUTION NO. 713-92, TO REQUIRE THAT THE MONIES IN SUCH FUND ARE
5 PAYABLE ONLY FOR THE PURPOSES SET FORTH IN GOVERNMENT CODE SECTION
6 76102 AND TO RENUMBER CHAPTER SECTION 6.311 TO 6.306.

7 Note: Additions are underlined; deletions are
8 indicated by ((double parentheses)).

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. Chapter 10, Article XIII of the San Francisco

11 Administrative Code is hereby amended by amending Section 10.117-108
12 thereof, to read as follows:

13 SEC. 10.117-108. SAN FRANCISCO AUTOMATED FINGERPRINT

14 IDENTIFICATION FUND. (a) Establishment of Fund. Pursuant to

15 California Government Code Section 76102 ((76383)), and Resolution

16 No. 713-92 of the Board of the Supervisors of the City and County
17 of San Francisco, there is hereby established in the treasury of the
18 City and County of San Francisco the San Francisco Automated
19 Fingerprint Identification Fund.

20 (b) Use ((Appropriation)) of Monies. The monies in the
21 fund, including interest earnings, are ((hereby appropriated
22 exclusively)) payable only for the purposes set forth in subsection
23 (e) of this section.

24 (c) Interest. Interest earned from the fund shall become
25 part of the principal thereof, and shall not be expended for any
26 purposes other than those set forth in subsection (e) of this
27 section.

28 (d) Accrual of Monies in Fund. The balance remaining in the

BOARD OF SUPERVISORS

PAGE 1 OF 2 PAGES

1171.

1 fund at the close of any fiscal year shall be deemed to have been
2 provided for a specific purpose within the meaning of Section 6.306
3 ((6.311)) of the Charter and shall be carried forward and
4 accumulated in the fund for the purposes recited herein.

5 (e) Authorization to Expend. Monies in the San Francisco
6 Automated Fingerprint Identification Fund shall be used for the
7 following purposes:

8 (1) The purchase, lease, operation, including personnel and
9 related costs, and maintenance of automated fingerprint equipment.

10 (2) The replacement of existing automated fingerprint
11 equipment.

12 (3) The reimbursement of funds which have previously been
13 expended by the City for the purchase, leasing, operation or
14 maintenance of existing automated fingerprint equipment.

15 All expenditures of monies from this Fund are subject to
16 appropriation by the Board of Supervisors.

APPROVED AS TO FORM:

21 LOUISE H. RENNE
22 City Attorney

23 By: *B.B. Jr.*
24 Deputy City Attorney

BOARD OF SUPERVISORS

3173g

PAGE 2 OF 2 PAGES
07/08/92

DOCUMENTS DEPT.

SEP 24 1992

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Board of Supervisors, San Francisco

Passed for Second Reading

§ Finally Passed

August 17, 1992

§ August 24, 1992

Ayes: Supervisors Achtenberg Alloto
Conroy Hallinan Helen Kennedy
Maher Migden Shelley

Ayes: Supervisors Achtenberg Conroy
Hallinan Helen Kennedy Maher
Migden Shelley

Absent: Supervisors Britt Gonzalez

Absent: Supervisors Alloto Britt
Gonzalez

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
97-92-43

AUG 31 1992
Date Approved

Mayor

1 AMENDING CHAPTER 10 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY
 2 AMENDING SECTION 10.117-35, TO RENAME THE "COURTHOUSE TEMPORARY
 3 CONSTRUCTION FUND" THE "COURTHOUSE CONSTRUCTION FUND." TO REQUIRE
 4 THAT SURCHARGES ON FILING FEES IN THE MUNICIPAL AND SUPERIOR
 5 COURTS AND PENALTY ASSESSMENTS PROVIDED IN GOVERNMENT CODE
 6 SECTION 76000 BE DEPOSITED IN SUCH FUND, AND TO REQUIRE THAT THE
 7 MONEYS DEPOSITED IN SUCH FUND BE USED ONLY FOR THE PURPOSES SET
 8 FORTH IN GOVERNMENT CODE SECTIONS 76000, 76100 AND 76238.

9 Note: Additions or substitutions are underlined; deletions
 10 are indicated by ((double parentheses)).

11 Be it ordained by the People of the City and County of San
 12 Francisco:

13 Section 1. Chapter 10, Article XIII of the San Francisco
 14 Administrative Code is hereby amended by amending section
 15 10.117-35 thereof, to read as follows:

16 Sec. 10.117-35. COURTHOUSE ((TEMPORARY)) CONSTRUCTION
 17 FUND. All funds collected pursuant to Resolution No.
 18 ((405-83)) 714-92 of the Board of Supervisors of the City
 19 and County of San Francisco as authorized by Section 76238
 20 ((68073.3)) of the California Government Code from surcharges on
 21 first filing fees ((collected as specified in such Resolution))
 22 and all funds collected pursuant to Resolution No. 713-92 as
 23 authorized by Sections 76000 and 76100 of the California
 24 Government Code from penalty assessments in criminal and parking
 25 cases, shall be deposited into ((and shall be appropriated by the
 Board of Supervisors from)) a special fund to be known as the
 "Courthouse ((Temporary)) Construction Fund" as provided in such
 Sections ((68073.3)) 76000, 76100 and 76238. Pursuant thereto,
 the monies in such fund, together with any interest earned

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thereon, are payable only for the purpose of assisting the City
 and County of San Francisco by a request for proposals through
 the Chief Administrative Officer, administered by the Real Estate
 Department, in the acquisition, rehabilitation, construction and
 financing of courtrooms or of a courtroom building or buildings
 containing facilities necessary or incidental to the operation of
 the justice system at the time necessary therefor. ((. and,

in)) In conjunction therewith, the monies in such fund may be
 used to rehabilitate existing courtrooms or an existing courtroom
 building or buildings for other uses if new courtrooms or a
 courtroom building or buildings are acquired, constructed or
 financed, or to acquire, rehabilitate, construct or finance
 excess courtrooms or an excess courtroom building or buildings if
 such excess is anticipated to be needed at a later time. Should
 any such excess courtrooms or courtroom buildings be leased or
 rented for uses other than the operation of the justice system
 until such time as such excess courtrooms or excess courtroom
 building or buildings are needed for the operation of the justice
 system, any amounts received as lease or rental payments pursuant
 to this subdivision shall be deposited in the San Francisco
 "Courthouse ((Temporary)) Construction Fund."

The fund shall be maintained by the Controller's Office
 which shall record all receipts and expenditures. All funds
 shall be expended as jointly determined by the Courthouse
 ((Temporary)) Construction Fund Committee (consisting of the

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DOCUMENTS DEPT.

SEP 24 1992

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1 Presiding Judges of the Superior and Municipal Courts, the
2 Executive Officer of the Superior Court and the Clerk of the
3 Municipal Court), with the approval of the Board of Supervisors.
4 Expenditures and encumbrances from this fund shall be subject to
5 the budget and fiscal policies of the Charter and shall first be
6 made for the purpose of a survey determining the need for
7 courtroom facilities. Balances remaining in the "Courtroom
8 ((Temporary)) Construction Fund" at the close of any fiscal year
9 shall be deemed to have been provided for a specific purpose
10 within the meaning of Section 6.306 of the Charter, and shall be
11 carried forward and accumulated in said fund for the purposes
12 recited herein.

15 APPROVED AS TO FORM:
16 LOUISE H. RENNE
17 City Attorney

19 By: BHM
20 Deputy City Attorney

BOARD OF SUPERVISORS

31409

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07/08/92

Board of Supervisors, San Francisco
Passed for Second Reading § Finally Passed
August 17, 1992 § August 24, 1992

Ayes: Supervisors Achtenberg Alioto § Ayes: Supervisors Achtenberg Conroy
Conroy Hallinan Hsieh Kennedy § Hallinan Hsieh Kennedy Maher
Maher Migden Shelley § Migden Shelley
Absent: Supervisors Britt Gonzalez § Absent: Supervisors Alioto Britt
Gonzalez

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

File No.
97-92-44

AUG 31 1992
Date Approved

[Signature] Clerk
[Signature] Mayor

SEP 4 1992

(Dog Licenses)

AMENDING THE SAN FRANCISCO MUNICIPAL CODE PART III (REVENUE AND BUSINESS REGS.) BY DELETING SECTIONS 215 THROUGH 219 AND 222 TO 223 INCLUSIVE AND AMENDING ARTICLE 1 OF THE SAN FRANCISCO HEALTH CODE BY ADDING SECTIONS 41.15 THROUGH 41.25 THERETO, TO REQUIRE EVERY PERSON OWNING, KEEPING AND CONTROLLING ANY DOG OVER THE AGE OF FOUR MONTHS TO VACCINATE SAID DOG AGAINST RABIES AND TO OBTAIN A LICENSE FOR SAID DOG REQUIRING EVERY PERSON PROCURING A YOUNG DOG FROM ANY ANIMAL SHELTER TO OBTAIN CERTIFICATE FOR SAID YOUNG DOG AND SETTING FORTH EXCEPTIONS AND PENALTIES.

NOTE: Additions or substitutions are underlined; deletions are in ((double parentheses)). Sections 41.15 through 41.26 of the Health Code are new.

Be it ordained by the People of the City and County of San Francisco: Section 1. The San Francisco Municipal Code Part III (Revenue and Business Regs.) is hereby amended by deleting Sections 215 through 219 in their entirety as follows:

((SEC. 215. DOGS: DOG LICENSE FEE: LATE CHARGE FOR DOG

LICENSE. It shall be unlawful for any person who owns, keeps or has control of any dog to fail to obtain a current San Francisco license for such dog each fiscal year as herein provided.

(a) Every person owning, keeping or having control of any dog over the age of four months within the City and County of San Francisco shall each fiscal year, pay a annual fee of \$12 for each dog so owned, kept or controlled. Such dog license shall be

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for the current fiscal year of any part thereof during which any such dog is ~~owned, kept or controlled~~ ^{owned, kept or controlled}, and shall be payable in advance. In the event a certificate is presented from a licensed veterinarian attesting that said dog has been spayed or neutered, said license fee shall be in the amount of \$6 for each fiscal year.

(b) The following exceptions apply to the fees set forth in Paragraph (a):

(1) 50 percent of the applicable fee in Paragraph (a) for a first-time license.

(2) If the owner of a dog is 65 years of age or older, the license fee for each dog shall be \$2.

(c) A late charge of \$5 shall be assessed for failure to obtain a current San Francisco dog license before September 1st of any year, except that no late charge will be assessed if the applicable license fee is paid within 30 days after such dog first becomes owned, kept or controlled by a person, or if the applicable license fee is paid within 30 days after the person owning, keeping or controlling such dog moves into the City and County of San Francisco. Proof of eligibility for exemption from the late charge shall be the responsibility of the person applying for the license.))

((SEC. 216. CERTIFICATE TO OWNER. Upon the payment of such dog license or cat registration fee, the Tax Collector shall issue a certificate stating the fiscal year for which such license or registration fee is paid, the date of payment, the name, residence

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1 address, and telephone number of the person to whom such license is
2 issued, the name, breed and sex of the dog or cat licensed or
3 registered, and the number of the license or registration tag
4 hereinafter provided for. Such certificate shall be delivered to
5 the person paying such license or registration fee and duplicates
6 thereof shall be delivered to the Animal Control Officer. All such
7 duplicates shall be kept in the office of the Animal Control Officer
8 as part of the records thereof during the fiscal year for which the
9 same are issued. Said certificate shall not be transferable from
10 dog to dog, cat to cat, or from owner to owner.

11 The Tax Collector shall at the same time issue and deliver to
12 the person paying such license or registration fee a metal tag of
13 such form and design as the Purchaser of Supplies and the Animal
14 Control Officer shall designate, with the words "San Francisco Dog
15 License" or "San Francisco Cat Tag" and a serial number and the
16 fiscal year for which issued plainly inscribed thereon. The owner
17 or person having control or possession of the dog or cat for which
18 said license or registration fee has been paid, and such tag issued,
19 shall attach such license tag or registration tag to a collar around
20 the neck of the cat or dog, or otherwise adequately secure such
21 tag.)

22 ((SEC. 217. REMOVAL OF TAG PROHIBITED. It shall be unlawful
23 for any person to remove any such tag from any dog or cat not owned
24 by him or not lawfully in his possession or under his control, or to
25 place on any dog or cat any such license or registration tag not

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1 issued as above provided for the particular dog or cat for the then
2 current fiscal year, or to make or to have in possession or to place
3 on a dog or cat any counterfeit or imitation of any license or
4 registration tag provided for in Section 215 to 219, inclusive, of
5 this Article.))

6 ((SEC. 218. DUPLICATE LICENSE OR REGISTRATION TAG ISSUED. If
7 any license or registration tag shall be lost or stolen, the person
8 owning, possessing, or having control of the dog or cat for which
9 the same was issued shall be entitled to receive a duplicate of such
10 tag by presenting to the Tax Collector the original certificate
11 showing ownership of said tag or subscribing to an affidavit
12 sufficiently showing that such tag was lost or stolen. The Tax
13 Collector, upon payment of \$1 shall issue a properly numbered
14 duplicate tag, and shall keep on file in his office the original
15 affidavit upon which duplicate tag was issued.

16 If any license or registration tag is not received due to the
17 United States Mail within 30 days after payment of fees, the person
18 owning, possessing, or having control of the dog or cat for which
19 the said tag was issued shall be entitled to receive a duplicate of
20 said tag by presenting to the Tax Collector the original certificate
21 showing ownership of said tag or subscribing to an affidavit
22 sufficiently showing that said tag was not received due to the
23 United States Mail within 30 days. The Tax Collector, without
24 additional fee, shall issue a properly numbered tag, and shall keep
25 / / /

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1 on file in his office the original affidavit upon which the
2 duplicate tag was issued.))

3 ((SEC. 219. EXCEPTIONS. (a) The provisions of Sections 215
4 to 218, inclusive, of this Article shall not apply to any of the
5 following:

6 (1) Dogs or cats owned or in the custody of or under the
7 control of persons who are nonresidents of the City and County, or
8 temporarily sojourning therein for a period not exceeding 30 days,
9 (2) Dogs or cats brought to said City and County exclusively
10 for the purpose of entering the same in any dog or cat show or
11 exhibition, and which are actually entered in and kept at such show
12 or exhibition,

13 (3) Dogs or cats owned by nonprofit zoological gardens open
14 to the public,

15 (4) Dogs or cats owned by duly incorporated and qualified
16 organizations and societies for the humane treatment and prevention
17 of cruelty to animals,

18 (5) Dogs or cats owned by pet shops, circuses, animal
19 exhibits, and other enterprises maintaining animals which have been
20 granted business licenses and kennel licenses by the City and County,

21 (6) Dogs or cats used for teaching or diagnostic purposes or
22 research in conformity with State or Federal laws.

23 (b) No license fee shall be levied for any dog license issued
24 for any of the following:

25 / /

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1 (1) A professionally trained and certified guide dog owned by
2 or in the custody of a blind or partially blind person,

3 (2) A signal dog owned by or in the custody of a deaf person
4 or person whose hearing is impaired. A "signal dog" shall mean any
5 dog trained to alert a deaf person, or a person whose hearing is
6 impaired, to intruders or sounds, as defined in Section 54.1 of the
7 California Civil Code,

8 (3) A service dog owned by or in the custody of a physically
9 handicapped person. A "service dog" shall mean any dog individually
10 trained to the physically disabled participant's requirements
11 including, but not limited to, minimal protection work, rescue work,
12 pulling a wheelchair, or fetching dropped items, as defined in
13 Section 54.1 of the California Civil Code.))

14 Section 2. The San Francisco Municipal Code Part III (Revenue
15 and Business Regs.) is hereby amended by deleting Sections 222 and
16 223 in their entirety as follows:

17 ((SEC. 222. ENFORCEMENT. It shall be the duty of the Animal
18 Control Officer and every police officer while on duty to enforce
19 the provisions of Sections 215 to 222, inclusive, of this Article
20 requiring owners of dogs to obtain a license for same.))

21 ((SEC. 223. PENALTIES. Any person violating the provisions
22 of Sections 217 or 221 of this Article shall be deemed guilty of a
23 misdemeanor, and upon conviction thereof shall be punishable by a
24 fine of not more than \$500 or imprisonment in the County Jail for
25 not more than six months or by both such fine and imprisonment.

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1 Any person violating the provisions of Section 215 of this
2 Article shall be deemed guilty of an infraction and upon conviction
3 thereof shall be punishable by a fine of not less than \$25 nor more
4 than \$50.)

5 Section 3. The San Francisco Health Code is hereby amended by
6 adding Sections 41.15 through 41.25 thereto to read as follows:

7 SEC. 41.15. ~~DOGS: DOG LICENSE FEE LICENSING REQUIREMENT:~~

8 ~~FEES: TERM OF LICENSE.~~ It shall be unlawful for any person to own,
9 keep or have control of any dog without having obtained a current
10 San Francisco license for such dog, which license shall be renewed
11 no later than thirty days after the date of expiration, as herein
12 provided.

13 (a) Every person owning, keeping or having control of any dog
14 over the age of four months within the City and County of
15 San Francisco shall within thirty days after the dog attains the age
16 of four months or within thirty days of obtaining the dog, obtain a
17 current license for each dog so owned, kept or controlled.

18 (b) New residents shall have thirty days in which to acquire
19 a current San Francisco license for each dog owned, kept or
20 controlled within the City and County of San Francisco.

21 (c) Such dog license shall be issued upon payment, in
22 advance, of a license fee and upon satisfactory proof of antirabies
23 vaccination and shall be valid for a specified term from the date of
24 issuance, all as provided in Section 41.18. To defray the cost of
25 issuance of said license, the Director of the Department of Animal

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1 Care and Control, the Tax Collector or other agency issuing said
2 certificate, is hereby authorized to charge, and any person
3 requesting said license shall pay, a fee in the amount of \$12
4 annually for each such license, subject to the exceptions set forth
5 in this Article. Any change recommended by the Director of the
6 Department of Animal Care and Control as to the amount of the fees
7 charged for each license shall be submitted to the Board of
8 Supervisors for approval prior to the imposition of said fee. Fees
9 for partial-term licenses for less than a twelve-month period will
10 be pro-rated on a monthly basis. A schedule of said license fees
11 shall be posted conspicuously on the premises of the Department of
12 Animal Care and Control and in the office of the Tax Collector, or
13 other agency charged with the collection of said fees.

14 (d) Licenses issued under prior existing dog licensing
15 ordinances of the City and County shall remain valid until
16 expiration.

17 SEC. 41.16. REDUCTION IN FEE - SPECIAL CIRCUMSTANCES. The
18 following reductions in the fees provided for in Section 41.15(c)
19 shall be available under the following circumstances:

20 (1) For each dog neutered or spayed in accordance with this
21 Article, the license shall be 50 percent of the applicable fee.

22 (2) If the owner of a dog is 65 years of age or older, the
23 license fee shall not exceed ~~\$2.~~^{\$2.}
24 ~~\$2.~~
25

26 SEC. 41.17. FEES - LATE PAYMENT PENALTY.
27 (a) A late charge of \$5 shall be assessed for failure to

SUPERVISOR MIGDEN
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1 obtain a current San Francisco dog license or to renew any expired
2 license within any of the time limitations set forth in Section
3 41.15 of this Article. Any such late charge shall be in addition to
4 the applicable license fee and shall be payable at the time of
5 issuance.

6 SEC. 41.18. VACCINATION REQUIRED FOR LICENSE.

7 (a) So long as the State of California has declared the City
8 and County of San Francisco to be a rabies-endemic county, it shall
9 be a requirement that every person owning, keeping or controlling a
10 dog over the age of four months within the City and County of
11 San Francisco shall at all times have procured current vaccination
12 of the dog by a licensed veterinarian with an approved canine
13 antirabies vaccine.

14 (b) Upon proof of a current antirabies vaccination, a license
15 may be issued pursuant to this Article for any period not to exceed
16 thirty-six months or three years. However, the license period shall
17 in no event exceed the remaining period of validity of the animal's
18 current antirabies vaccination.

19 SEC. 41.19. YOUNG DOG CERTIFICATE.

20 (a) Every resident of the City and County of San Francisco
21 who procures a young dog over the age of two months from any animal
22 shelter shall register such dog with the Department of Animal Care
23 and Control, Tax Collector or other agency authorized to issue said
24 certificate. Upon payment of a deposit equivalent to the amount of
25 a license fee set pursuant to Section 41.15 of this Article, the

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1 owner of the young dog shall be issued a temporary identification
2 tag and young dog certificate. The certificate shall be valid until
3 the dog attains the age of four months, or has received an
4 antirabies vaccination, whichever occurs first. Upon expiration of
5 the certificate, the Tax Collector will notify the owner that the
6 certificate has expired and upon satisfactory proof that the dog has
7 been vaccinated in compliance with Section 41.18 of this Article,
8 the owner is shall be provided with a valid license for said dog as
9 provided in this Article.

10 (b) If an owner fails to procure a license within one

11 (1) month after the expiration of the young dog certificate, the
12 deposited license fee shall be forfeited and the owner shall be
13 deemed to be in violation of Section 41.15 of this Article.

14 SEC. 41.20. CERTIFICATE TO OWNER. (a) Upon the payment of a

15 dog license or cat registration fee, the owner of the animal shall
16 obtain from the Tax Collector or other authorized agency a
17 certificate stating (1) the period for which such license or
18 registration fee is to be paid, (2) the date of payment, (3) the
19 name, residence address, and telephone number of the person to whom
20 such license is issued, (4) the name, breed and sex of the dog or
21 cat licensed or registered, (5) the number of the license or
22 registration tag issued as provided for in this Article, and (6) a
23 statement whether the animal has been spayed or neutered. Such
24 certificate shall be delivered to the person paying such license or
25 registration fee and duplicates or records thereof shall be

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1 delivered to the Department of Animal Care and Control. All such
2 duplicates and records shall be kept in the office of the Department
3 of Animal Care and Control until the registration or certificate
4 expires. The Tax Collector shall periodically provide the
5 Department of Animal Care and Control with updated information
6 regarding current registrations.

7 (b) The certificates and tags described in this section shall
8 not be transferable from dog to dog, cat to cat, or from owner to
9 owner.

10 (c) At the same time that the Tax Collector issues the
11 certificate pursuant to this section, he or she shall also issue and
12 deliver to the person paying such license or registration fee a
13 license tag of such form and design as the Department of Animal Care
14 and Control shall designate, with the words "San Francisco Dog
15 License" or "San Francisco Cat Tag" and a serial number.

16 (d) The owner or person having control or possession of the
17 dog or cat for which said license or registration fee has been paid,
18 and such tag issued, shall attach such license tag or registration
19 tag securely to a collar around the neck of the cat or dog, or
20 otherwise adequately secure such tag. License tags shall be
21 securely displayed upon dogs at all times, except when the dog is
22 confined to the owner's premises or displayed in any show or
23 exhibition.

24 SEC. 41.21. REMOVAL OF TAG PROHIBITED. It shall be unlawful
25 for any person to remove a license tag from any dog or cat not owned

SUPERVISOR MIGDEN
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1 by him or her or not lawfully in his or her possession or under that
2 person's control, or to place on any dog or cat any such license or
3 registration tag not issued as above provided for the particular dog
4 or cat, or to make or to have in possession or to place on a dog or
5 cat any counterfeit or imitation of any license or registration tag
6 provided for in Section 41.20 of this Article.

7 SEC. 41.22. DUPLICATE LICENSE OR REGISTRATION TAG ISSUED. If
8 any license or registration tag shall be lost or stolen, damaged or
9 illegible, the person owning, possessing, or having control of the
10 dog or cat for which the same was issued shall be entitled to
11 receive a duplicate of such tag by presenting to the Tax Collector,
12 the damaged tag, the original certificate showing ownership of said
13 tag or subscribing to an affidavit sufficiently showing that such
14 tag was lost or stolen. Upon payment by the owner of a replacement
15 fee of \$1, the Tax Collector shall issue a properly numbered
16 duplicate tag, and shall keep on file in his office the original
17 affidavit upon which the duplicate tag was issued.

18 If any license or registration tag is not received due to the
19 United States Mail within 30 days after payment of fees, the person
20 owning, possessing, or having control of the dog or cat for which
21 the said tag was issued shall be entitled to receive a duplicate of
22 said tag by presenting to the Tax Collector the damaged tag, the
23 original certificate showing ownership of said tag or subscribing to
24 an affidavit sufficiently showing that said tag was not received due
25 to the United States Mail within 30 days. The Tax Collector,

SUPERVISOR MIGDEN
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1 without additional fee, shall issue a properly numbered tag, and
2 shall keep on file in his office all original affidavits upon which
3 duplicate tags were issued.

4 SEC. 41.23. **EXCEPTIONS.** (a) The provisions of Sections
5 41.15 to 41.22 inclusive, of this Article shall not apply to any of
6 the following:

7 (1) Dogs or cats owned or in the custody of or under the
8 control of persons who are nonresidents of the City and County, or
9 temporarily sojourning therein for a period not exceeding 30 days,
10 (2) Dogs or cats brought to said City and County exclusively
11 for the purpose of entering the same in any dog or cat show or
12 exhibition, and which are actually entered in and kept at such show
13 or exhibition,

14 (3) Dogs or cats owned by nonprofit zoological gardens open
15 to the public,

16 (4) Dogs or cats owned by duly incorporated and qualified
17 organizations and societies for the humane treatment and prevention
18 of cruelty to animals,

19 (5) Dogs or cats owned by pet shops, circuses, animal
20 exhibits, and other enterprises maintaining animals which have been
21 granted business licenses and kennel licenses by the City and County,

22 (6) Dogs or cats used for teaching or diagnostic purposes or
23 research in conformity with State or Federal laws.

24 (b) No license fee shall be levied for any dog license issued
25 for any of the following:

SUPERVISOR MIGDEN

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1 (1) A professionally trained and certified guide dog owned by
2 or in the custody of a blind or partially blind person,

3 (2) A signal dog owned by or in the custody of a deaf person
4 or person whose hearing is impaired. A "signal dog" shall mean any
5 dog trained to alert a deaf person, or a person whose hearing is
6 impaired, to intruders or sounds, as defined in Section 54.1 of the
7 California Civil Code,

8 (3) A service dog owned by or in the custody of a physically
9 handicapped person. A "service dog" shall mean any dog individually
10 trained to the physically disabled participant's requirements
11 including, but not limited to, minimal protection work, rescue work,
12 pulling a wheelchair, or fetching dropped items, as defined in
13 Section 54.1 of the California Civil Code.

14 SEC. 41.24. **ENFORCEMENT.** It shall be the duty of the Animal
15 Control Officer and every police officer while on duty to enforce
16 the provisions of Sections 41.15 to 41.22 inclusive, of this Article
17 requiring owners of dogs to obtain a license for same.

18 SEC. 41.25. **PENALTIES.** Any person violating the provisions
19 of Section 41.21 of this Article shall be deemed guilty of a
20 misdemeanor, and upon conviction thereof shall be punishable by a
21 fine of not more than \$500.

22 / / /

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SUPERVISOR MIGDEN

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7/30/92

1 Any person violating the provisions of Section 41.15 or 41.19
 2 of this Article shall be deemed guilty of an infraction and upon
 3 conviction thereof shall be punishable by a fine of not less than
 4 \$25 nor more than \$50.

5 APPROVED AS TO FORM:

6 LOUISE H. RENNE
 7 City Attorney

8 By 
 9 JULIA TEN EYCK
 10 Deputy City Attorney

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SUPERVISOR MIGDEN

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Board of Supervisors, San Francisco

Passed for Second Reading

August 17, 1992

Ayes: Supervisors Achtenberg Alioto
 Conroy Gonzalez Hallinan Helen
 Kennedy Maher Migden Shelley
 Absent: Supervisor Brito

§ Finally Passed
 § August 24, 1992
 §

§ Ayes: Supervisors Achtenberg Alioto
 Conroy Gonzalez Hallinan Helen
 Kennedy Maher Migden Shelley
 § Absent: Supervisor Brito

I hereby certify that the foregoing ordinance
 was finally passed by the Board of Supervisors
 of the City and County of San Francisco

File No.
 127-92-4

AUG 31 1992
 Date Approved


 Mayor

 Mayor

1 [Underground Utility District -- 309]

2 AMENDING ORDINANCE NO. 96-89, WHICH AMENDED ORDINANCES NO. 51-79,
3 298-86 AND 305-88 TO REDEFINE UNDERGROUND DISTRICT 309, BUENA VISTA
4 DISTRICT, BY REQUIRING THAT ALL AERIAL UTILITY FACILITIES IN THIS
5 DISTRICT, INCLUDING THOSE LOCATED ON PRIVATE PROPERTY OR IN REAR
6 EASEMENTS, BE PLACED UNDERGROUND, AND BY REQUIRING PROPERTY OWNERS
7 TO PROVIDE AND MAINTAIN THE UNDERGROUND SUPPORTING STRUCTURES ON
8 THEIR PROPERTY.

9
10 Note: Additions or substitutions are underlined;
11 deletions are in ((double parentheses)).

12 Be it ordained by the People of the City and County of San Francisco:

13
14 Section 1. In accordance with the provisions of Section 900 et
15 seq., of Part II, Chapter X, Article 18 of the San Francisco Municipal
16 Code (Public Works Code), the Board of Supervisors does hereby amend
17 Ordinance No. 96-89, to read as follows:

18
19
20 UNDERGROUND DISTRICT NO. 309
(BUENA VISTA DISTRICT)

21
22 Stage One Masonic Avenue from the southerly line of Haight Street
23 to Roosevelt Way. Java Street, all, Pledmont Street, all

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25 //

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BOARD OF SUPERVISORS

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03/17/92

1 Stage Two Ashbury Street from the southerly line of Waller Street
2 to Clayton Street. Frederick Street from the easterly
3 line of Clayton Street to Buena Vista Terrace.
4 Stage Three Waller Street from the easterly line of Stanyan Street to
5 Buena Vista Avenue, Delmar Street, all. Downey Street
6 and Clayton Street, both, from the southerly line of
7 Waller Street to Ashbury Street. Belvedere Street from
8 Parnassus Avenue to Seventeenth Street.
9 Stage Four Upper Ashbury Phase IIA: Stanyan Street from northerly
10 line of Rivoli Street to northerly line of Belgrave
11 Avenue; Woodland Avenue from southerly line of Parnassus
12 Avenue to westerly line of Willard Street; Rivoli Street
13 from westerly line of Stanyan Street to easterly line of
14 Shrader Street; Shrader Street from northerly line of
15 Rivoli Street to northerly line of Belgrave Avenue.
16 Seventeenth Street from westerly line of Stanyan Street
17 to easterly line of Shrader Street; Clarandon Avenue from
18 Sutro Forest to Johnstone Drive.
19 Upper Ashbury Phase IIB: Cole Street from southerly line
20 of Seventeenth Street to southerly terminus; Belvedere
21 Street from southerly line of Seventeenth Street to
22 northerly line of Carmel Street; Carmel Street from
23 easterly line of Shrader Street to westerly line of Twin
24 Peaks Boulevard.
25 //

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BOARD OF SUPERVISORS

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1 Upper Ashbury Phase IIC: Ashbury Terrace from Piedmont
2 Street to Upper Terrace; Upper Terrace from southerly
3 line of Buena Vista Avenue East to Clifford Terrace;
4 Clifford Terrace from Upper Terrace to Roosevelt Way;
5 Roosevelt Way from southerly terminus of easterly line of
6 Loma Vista Terrace to northerly line of Seventeenth
7 Street; Loma Vista Terrace, all; Masonic Avenue from
8 southeasterly line of Upper Terrace to northwesterly line
9 of Roosevelt Way. In this area, all aerial utility
10 facilities, including aerial facilities located on
11 private property or in rear easements, shall be placed
12 underground. All property owners in this area shall
13 provide and maintain the underground supporting structure
14 on their property.

15 Upper Ashbury Phase IID: Belvedere Street from southerly
16 line of Haight Street to northerly line of Frederick
17 Street; Masonic Avenue from southerly line of Oak Street
18 to southerly line of Haight Street; Carmelita Street, all,

19 Section 2. The undergrounding of facilities within this
20 underground district is in the general public interest because it
21 will eliminate a heavy concentration of overhead wires in a scenic
22 area and was requested by public petition and vote. Stage Four, as
23 redefined, of Underground District No. 309 is subdivided into four
24 phases as described and delineated above to facilitate construction
25 sequence and expedite completion dates in joint effort and

1 coordination with the private utility companies involved.
2 Section 3. All work in connection with the underground of
3 facilities lying within this underground district and subject to the
4 laws with reference to underground districts is to be completed in
5 accordance with the Department of Public Works Program; and in
6 adherence to established priorities.

7 Section 4. The Board of Supervisors fixes December 30, 1989
8 as the date on which affected property owners in Upper Ashbury Phase
9 IIA of Underground District No. 309 must complete conversion and be
10 ready to receive underground service. Said Board further fixed June
11 30, 1990 as the date on which affected property owners in Upper
12 Ashbury Phase IID of Underground District No. 309 must complete
13 conversion and be ready to receive underground service.

14 Section 5. The Board of Supervisors hereby orders that all
15 poles, overhead wires and associated overhead structures be removed
16 and underground installations made in said Upper Ashbury Phases IIA
17 and IID in Underground District No. 309 no later than June 30, 1991,
18 which time may be reasonably extended by the Director of Public
19 Works.

20 Section 6. The Board of Supervisors hereby declares that it
21 will fix the dates of conversion by affected property owners and
22 removal of poles and overhead wires and facilities in Upper Ashbury
23 phases IIB and IIC at an appropriate later date, so as not to
24 project work schedules too far in advance of events not yet
25 / / /

1 predictable, but which may impact such pre-set schedules and
2 render them impracticable.

3
4 APPROVED AS TO FORM:
5 LOUISE H. RENNE, City Attorney

6 By: [Signature]
7 Deputy City Attorney

DESCRIPTION APPROVED:

[Signature]
Deputy Director
Public Services

8
9
10 RECOMMENDED:

[Signature]
Director of Public Works

[Signature]
Chief Administrative Officer

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed

August 24, 1992 \$ August 31, 1992 \$

Ayes: Supervisors Achtenberg Alioto \$
Conroy Gonzalez Hallinan Hsieh \$
Kennedy Maher Migden Shelley \$

Ayes: Supervisors Achtenberg Alioto \$
Britt Conroy Hallinan Maher \$
Shelley \$

Absent: Supervisor Britt \$

Absent: Supervisors Gonzalez Hsieh \$
Kennedy Migden \$

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

[Signature]
Clerk

File No.
52-92-3

SEP 04 1992

Date Approved

[Signature]
Mayor

1 [Use of City Resources to Enforce Immigration Laws]
 2 AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING CHAPTER
 3 12H THEREOF, WHICH PROHIBITS USE OF CITY AND COUNTY RESOURCES TO
 4 ASSIST IN ENFORCEMENT OF FEDERAL IMMIGRATION LAWS, BY ADDING SECTION
 5 12H.2-1 TO CLARIFY THAT CHAPTER 12H DOES NOT APPLY TO INDIVIDUALS
 6 WHO HAVE BEEN CONVICTED OF CERTAIN CRIMES.
 7

8 Note: All sections are new.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. The Board of Supervisors of the City and County of
 11 San Francisco makes the following findings:

12 (a) This Board of Supervisors hereby reaffirms the important
 13 public policy reasons for enacting the City and County of Refuge
 14 Ordinance articulated in Ordinance No. 375-89 (First Reading
 15 10/10/89; second reading 10/16/89).

16 (b) This Board of Supervisors continues to have serious
 17 concerns about the potential discriminatory and selective
 18 implementation of any cooperation between the City and County of San
 19 Francisco and the INS and specifically intends that any such
 20 cooperation not be based on an individual's race, national origin,
 21 or ability to speak English.

22 (c) This Board also specifically affirms that it shall remain
 23 the policy of the City and County of San Francisco not to initiate
 24

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BOARD OF SUPERVISORS

1 any enforcement activity solely on the basis of an individual's
 2 immigration status.
 3
 4 Section 2. The San Francisco Administrative Code is hereby
 5 amended by adding to Chapter 12H thereof Section 12H.2-1, which
 6 shall read as follows:
 7

8 SEC. 12H.2-1 Nothing in this Chapter shall preclude any City
 9 and County department, agency, commission, officer or employee from
 10 (a) reporting information to the INS regarding an individual who has
 11 been booked at any county jail facility, and who has previously been
 12 convicted of a felony committed in violation of the laws of the
 13 State of California, which is still considered a felony under state
 14 law; (b) cooperating with an INS request for information regarding
 15 an individual who has been convicted of a felony committed in
 16 violation of the laws of the State of California, which is still
 17 considered a felony under state law; or (c) reporting information as
 18 required by federal of state statute, regulation or court decision,
 19 regarding an individual who has been convicted of a felony committed
 20 in violation of the laws of the State of California, which is still
 21 considered a felony under state law. For purposes of this Section,
 22 an individual has been "convicted" of a felony when: (a) there has
 23 been a conviction by a court of competent jurisdiction; and (b) all
 24 direct appeal rights have been exhausted or waived; or (c) the
 25 appeal period has lapsed

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1 However, no officer, employee or law enforcement agency of the
2 City and County of San Francisco shall stop, question, arrest or
3 detain any individual solely because of the individual's national
4 origin or immigration status. In addition, in deciding whether to
5 report an individual to the INS under the circumstances described in
6 this Section, an officer, employee or law enforcement agency of the
7 City and County of San Francisco shall not discriminate among
8 individuals on the basis of their ability to speak English or
9 perceived or actual national origin.

10 This Section shall not apply in cases where an individual is
11 arrested and/or convicted for failing to obey a lawful order of a
12 police officer during a public assembly or for failing to disperse
13 after a police officer has declared an assembly to be unlawful and
14 has ordered dispersal.

15 Nothing herein shall be construed or implemented so as to
16 discourage any person, regardless of immigration status, from
17 reporting criminal activity to law enforcement agencies.

18
19 Section 3. Six months after the passage of this ordinance,
20 the San Francisco Police Department and the San Francisco Sheriff's
21 Department shall submit a joint report to the Board of Supervisors
22 detailing the manner in which this ordinance has been implemented.
23 Such a report shall include copies of all implementing guidelines
24 and demographic data available on all individuals (a) reported to
25 the INS under Chapter 12H.2-1(a) since the implementation of this

8/24/92

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1 ordinance, (b) for whom a response to an INS request for information
2 is made since the implementation of this ordinance, or (c) reported
3 to the INS under California Health and Safety Code Section 11369
4 since the implementation of this ordinance. Such demographic data
5 shall include the surname, race, sex, current charge (if any) and
6 disposition, current custody status and response/actions taken by
7 the INS regarding such individuals. To the extent permitted by
8 state and federal law, the joint report shall also include data
9 regarding the prior criminal histories of such individuals. After
10 receipt of this joint report, this Board shall hold a public hearing
11 regarding the report and may consider further amendments to Chapter
12 12H of the Administrative Code.

13
14 APPROVED AS TO FORM:

15 LOUISE H. RENNE, City Attorney

16
17 By: 
18 Deputy City Attorney

19
20
21
22
23
24
25 8/24/92

4

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BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

§ Finally Passed

August 24, 1992

§ August 31, 1992

Ayes: Supervisors Achtenberg Alloto
 Conroy Gonzalez Hallinan Hsieh
 Kennedy Maher Migden Shelley

§ Ayes: Supervisors Achtenberg Alloto
 Britt Conroy Hallinan Maher
 Shelley

Absent: Supervisor Britt

§ Absent: Supervisors Gonzalez Hsieh
 Kennedy Migden

I hereby certify that the foregoing ordinance
 was finally passed by the Board of Supervisors
 of the City and County of San Francisco

File No.
 97-92-46

SEP 04 1992

Date Approved

Clerk

Mayor

(Animal Sacrifice)
AMENDING THE SAN FRANCISCO HEALTH CODE BY ADDING ARTICLE 1A
THERETO TO PROHIBIT ANY PERSON, GROUP, FIRM OR CORPORATION FROM
SACRIFICING ANY ANIMAL OR SELLING ANY ANIMAL FOR SACRIFICE.
NOTE: This entire Article is new.
Be it ordained by the People of the City and County of San
Francisco:
Section 1. The San Francisco Health Code is hereby amended
by adding Article 1A thereto, to read as follows:

ARTICLE 1A
ANIMAL SACRIFICE
SEC. 1A.1. FINDINGS
The Board of Supervisors hereby finds and declares that:
1. Animals, including but not limited to chickens,
pigeons, doves, ducks, guinea fowl, goats, sheep, dogs, cats and
turtles are being sacrificed by groups and individuals in this
City, using methods known to be unreliable and not humane and
causing great fear, pain and needless injury and death to the
animals being sacrificed.

2. Sacrificial animals are often subjected to inhumane
treatment prior to being killed, in that they are kept in
overcrowded and filthy conditions, are kept in close confinement
and with animals not of their own species while awaiting
sacrifice and are often deprived of food and water for days
before being killed, possibly so that the animal does not
defecate or urinate out of fear in the course of the sacrifice.

3. Stress and fear experienced by chickens, a commonly
sacrificed animal, affects the chicken's immune system and
increases growth of bacteria, especially salmonella, in the
chicken's system, creating a human health hazard.
4. There is no reasonable means to guarantee that animals
used in sacrifice are disease-free.
5. Following the practice of animal sacrifice, animal
remains are often left in public places.
6. Improperly disposed-of animal remains present a serious
public health hazard, in that areas where dead animals are left
attract and become a harborage for flies, rats and fleas, thus
increasing the likelihood of the spread of disease to other
animals and to humans.
7. Flies attracted to animal remains are themselves known
to transmit numerous human and animal diseases, including
dysentery, typhoid, cholera, salmonella, salmonosis, infectious
hepatitis and parasitic worms.
8. Rats are commonly associated with the spread of
disease, including plague, Leptus Pyrosis and typhus.
9. The sanitary disposal of the remains of sacrificial
animals by the diverse individuals and groups practicing such
rites cannot reasonably be monitored or controlled.
10. There is no guarantee that children are not exposed to
animal sacrifice which may adversely affect the mental health and
behavior of the child, to the detriment of both the child and the
community.

11. This ban on animal sacrifice is imperative (1) to prevent cruelty to animals, (2) to safeguard the health, safety and welfare of the community, and (3) to prevent the adverse psychological impact on children exposed to animal sacrifices.

12. This Article shall apply to any person, group, firm or corporation that kills, maims or sacrifices any animal in any type of ritual, or provides animals for that purpose.

SEC. 1A.2. DEFINITIONS.

As used in this Chapter, the following words and phrases shall have the meanings indicated herein:

"Animal" shall mean any member of any species of the animal kingdom.

"Animal Sacrifice" shall mean the intentional killing or maiming of any animal in a ritual which killing or maiming is committed not in accordance with state and federal humane slaughter laws and which is not primarily for consumption as food.

"Ritual Slaughter" shall mean the preparation and killing of any animal for consumption as food in compliance with the State Kosher Food Law (Penal Code §383b), or any other applicable kosher slaughter statute.

"Slaughter" shall mean the killing of any animal by any person, group, firm or corporation for consumption as food in accordance with state and federal humane slaughter laws.

SEC. 1A.3. ANIMAL SACRIFICE PROHIBITED. It shall be unlawful for any person, group, firm or corporation to engage in animal sacrifice.

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SUPERVISOR MILDEN
3971w

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SEC. 1A.4. SALE OF ANIMAL FOR SACRIFICE PROHIBITED. It shall be unlawful for any person, group, firm or corporation to knowingly sell, give, transfer, or offer to sell, give, transfer or otherwise provide any animal to another person for sacrifice.

SEC. 1A.5. PENALTIES. Any person who violates any provision of Sections 1A.3 through 1A.4 shall be deemed guilty of a misdemeanor or infraction.

(a) If charged as an infraction, the penalty upon conviction of such person shall be a fine not exceeding \$500.

(b) If charged as a misdemeanor, the penalty upon conviction of such person shall be imprisonment in the County Jail for a period not to exceed one year or by a fine not exceeding \$1,000 or by both fine and imprisonment.

(c) The complaint charging such violation shall specify whether the violation charged is a misdemeanor or an infraction.

(d) Prima Facie Violation. The discovery of the presence of any animal carcass, animal parts or animal blood in proximity to the presence of any ritual paraphernalia shall constitute prima facie evidence of a violation of this Article.

SEC. 1A.6. EXCEPTIONS. Nothing in this Article shall be construed to prohibit any person, firm or corporation from lawfully operating under the laws of this state and engaging in the slaughter or ritual slaughter of animals, as defined herein.

SEC. 1A.7. ENFORCEMENT.

(a) Any provision of Sections 1A.3 through 1A.4 may be enforced by the Department of Animal Care and Control, the

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SUPERVISOR MILDEN
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1 Department of Public Health, or the San Francisco Police
2 Department, or any duly authorized designee. Said departments
3 shall have authority to investigate any suspected violation of
4 this Article.

5 (b) Any department authorized to enforce this Article,
6 which receives a complaint of or otherwise becomes aware of any
7 violation of Sections 1A.3 through 1A.4, subject to penalties
8 under Section 1A.5, shall present the complaint or violation to
9 the District Attorney for prosecution.

10 SEC. 1A.8. SEVERABILITY. If any part or provision of
11 Sections 1A.3 through 1A.4, or the application thereof, to any
12 person or circumstance is held invalid, the remainder of the
13 section, including the application of such part or provision to
14 other persons or circumstances, shall not be affected thereby and
15 shall continue in full force and effect. To this end, the
16 provisions of the sections are severable.

17
18 APPROVED AS TO FORM:

19 LOUISE H. RENNE
20 City Attorney

21 By Thedore R. Lohay
22 Deputy City Attorney
23 SUPERVISOR MIGDEN
24 3971w
25

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8/18/92

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading § Finally Passed

August 24, 1992 § August 31, 1992

Ayes: Supervisors Achtenberg Alloto §
Conroy Gonzales Hallinan Kennedy §
Migden Shelley §

§
§
§
§
Ayes: Supervisors Achtenberg Alloto
Britt Conroy Hallinan Maher
Shelley

Noes: Supervisor Haileh §

Absent: Supervisors Britt Maher §

§
§
§
§
Absent: Supervisors Gonzalez Haileh
Kennedy Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

John B. Taylor
Clerk

Paul M. Parker
Mayor

File No.
118-92-6

SEP 04 1992

Date Approved

E R R A T A

The following corrections have been made to Ordinance No. 284-92:

Page 20, line 12, insert:

12. Work with the Director and the Controller to implement a Citywide prompt payment policy requiring that MBEs, WBEs and LBEs be paid by the City within 60 days of the date on which the City receives an invoice from an MBE, WBE or LBE for work performed for the City.

13. Provide the Director with written notice of all contract modifications which result in an increase or decrease of the contract's dollar amount of more than ten percent. Such notice shall be provided within 30 days of each such contract modification.

On page 21, line 3, after the word "sign" delete "before a notary"; and on line 4, after the word "declaring" insert "under penalty of perjury".

On page 24, line 5, after "12D.2" insert "and 12D.2-1,".

On page 30, line 11, insert:

10. The evidence before this Board relating to the award of professional services contracts for fiscal year 1990-1991 reflects that certain minority groups have improved their participation in certain City professional services contracts. However, based on the testimony and other evidence before this Board, the Board concludes that remedial action continues to be necessary to enable these groups to overcome past discrimination in the award of professional services contracts. The Director shall closely monitor the participation of these groups in professional services contracts and report the results of such monitoring to the Board pursuant to Section 12D.6(B)2.

John L. Taylor
John L. Taylor
Clerk of the Board
November 20, 1992

BOARD OF SUPERVISORS

(Minority, Women and Local Business Enterprises - Subcontracts) AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING CHAPTER 12D SECTIONS 12D.5, 12D.8 and 12D.11 THEREOF RELATING TO A RACE AND GENDER CONSCIOUS SUBCONTRACTING AFFIRMATIVE ACTION PROGRAM FOR ARCHITECTURAL/ENGINEERING AND RELATED SERVICES.

Note: Additions are underlined. Deletions have double parentheses.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Chapter 12D Sections 12D.5, 12D.8 and 12D.11 thereof, to read as follows:

Sec. 12D.5. Definitions.

"Award of a Contract" occurs when a contract is certified by the Controller of the City and County of San Francisco.

"Annual Participation Goals" shall mean the targeted levels of City wide MBE/WBE participation in City prime contracts that reflect the relevant share of MBEs or WBEs in a given industry or profession referred to as "percent availability" in the utilization indices contained in Appendix X to this Ordinance.

"Back contracting" shall mean any agreement or other arrangement between a prime contractor and its subcontractor where the prime contractor performs or secures the performance of the subcontract in such a fashion and/or under such terms and conditions that the prime contractor enjoys the financial benefits of the subcontract. Said agreement or other arrangement

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1 includes, but is not limited to, situations where either a
2 contractor or subcontractor agrees that any term, condition or
3 obligation imposed upon the subcontractor by the subcontract
4 shall be performed by or be the responsibility of the prime
5 contractor.

6 "Bid" shall mean and include a quotation, proposal,
7 solicitation or offer by a bidder or contractor to perform or
8 provide labor, materials, equipment, supplies or services to the
9 City and County of San Francisco for a price.

10 "Bidder" shall mean any business that submits a quotation,
11 bid or proposal to provide labor, materials, equipment, supplies
12 or services to the City and County of San Francisco.

13 "City" shall mean the City and County of San Francisco.

14 "Commercially useful function" for purposes of determining
15 whether a business is a minority business enterprise, woman
16 business enterprise or local business enterprise shall mean that
17 the business is directly responsible for providing the materials,
18 equipment, supplies or services to the City as required by the
19 solicitation or request for quotes, bids or proposals. MBES,
20 MBES or LBES who engage in the business of providing brokerage,
21 referral or temporary employment services shall not be deemed to
22 perform a "commercially useful function" unless the brokerage,
23 referral or temporary employment services are those required and
24 sought by the department.
25 "Commission" shall mean the Human Rights Commission of the

1 City and County of San Francisco.

2 "Concession" shall include any grant of land or other
3 property by or on behalf of the City and County of San Francisco
4 to a person for the purpose or use specified in said grant. A
5 "concession" shall not include an agreement to perform
6 construction-related services.

7 "Contract" shall mean and include any agreement between the
8 City and a person to provide or procure labor, materials,
9 equipment, supplies or services to, for or on behalf of the City
10 and County of San Francisco. A "contract" shall include an

11 agreement between the City and a person or non-profit entity to
12 perform construction related services or fund the performance of
13 such services. Except as otherwise specifically defined in this
14 section, a "contract" does not include: (1) awards made by the
15 City with Federal/State grant or City general fund monies to a
16 non-profit entity where the City offers assistance, guidance, or
17 supervision on a project or program and the recipient of the
18 grant award uses the grant monies to provide services to the
19 community; (2) sales transactions where the City sells its
20 personal or real property; (3) a loan transaction where the City
21 is acting as a debtor or a creditor; (4) lease, franchise, or
22 concession agreements; (5) agreements to use City real property;
23 or (6) gifts of materials, equipment, supplies or services to the
24 City.
25 "Contract Awarding Authority" shall mean the City officer,

1 department, commission, employee or board authorized to enter
2 into contracts on behalf of the City. In the case of an
3 agreement with a person or non-profit entity to perform or fund
4 the performance of construction related services, the term
5 "contract awarding authority" shall mean the person or non-profit
6 entity receiving funds from the City to perform or fund the
7 performance of such services.

8 "Contractor" shall mean any person(s), firm, partnership,
9 corporation, or combination thereof, who submits a bid to
10 perform, performs any part of, agrees with a person to provide
11 services relating to and/or enters into a contract with
12 department heads and officers or contract awarding authorities
13 empowered by law to enter into contracts on the part of the City
14 for public works or improvements to be performed, or for goods or
15 ((and)) services or supplies to be purchased at the expense of
16 the City or to be paid out of monies deposited in the treasury or
17 out of trust monies under the control of or collected by the
18 City.

19 "Controlled" for the purposes of determining whether a
20 business is a Minority Business Enterprise, or Women Business
21 Enterprise, shall mean the minority(ies), the woman or
22 combination of minorities and women, as the context requires,
23 shall (1) possess legal authority and power to manage business
24 assets, good will and daily operations of the business; and (2)
25 actively and continuously exercise such authority and power in

KENNEDY, HSIEH AND ACHTENBERG, SHELLEY, ALIOTO PAGE 4 OF 38
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1 determining the policies and directing the operations of the
2 business.

3 "Director" shall mean the Director of the Human Rights
4 Commission of San Francisco.

5 "Economically Disadvantaged Business" shall mean a business
6 whose average gross annual receipts in the three fiscal years
7 immediately preceding its application for certification as a MBE,
8 WBE or LBE does not exceed the following limits: (1) Public
9 Works/Construction-- \$14 million; (2) Goods/Materials/Equipment
10 and General Services Suppliers -- \$2 million; (3) Professional
11 Services-- \$2 million.

12 "Equipment and Supplies Contract" shall mean term purchase
13 agreements, contract orders, purchase orders and any other
14 agreement for the purchase of transportation equipment, office
15 supplies, data processing and office equipment, hospital and
16 medical equipment and supplies, food, building supplies,
17 fire/safety equipment and supplies, clothing, miscellaneous and
18 electrical equipment and supplies. The term "equipment and
19 supplies contract" shall not include contracts for fuels,
20 lubricants and illuminants.

21 "Franchise" shall mean and include the right or privilege
22 conferred by grant from the City and County of San Francisco, or
23 any contracting agency thereof, and vested in and authorizing a
24 person to conduct such business or engage in such activity as is
25 specified in the grant. A "franchise" shall not include an

KENNEDY, HSIEH AND ACHTENBERG, SHELLEY, ALIOTO PAGE 5 OF 38
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BOARD OF SUPERVISORS

1 agreement to perform construction-related services.

2 "General Services Contract" shall mean term purchase
3 agreements, contract orders, purchase orders and any other
4 agreement for the procurement of janitorial, security, equipment
5 and computer maintenance, miscellaneous, printing and graphics
6 services.

7 "Good Faith Efforts" when required of a contract awarding
8 authority or department shall mean the actions undertaken by a
9 department to obtain MBE or WBE participation in a contract as
10 prime contractors, and shall include the following efforts: (1)
11 encouraging MBE/WBES to attend pre-bid meetings, scheduled by a
12 department or the Commission, to inform potential contractors of
13 contracting opportunities; (2) advertising in general circulation
14 media, trade association publications and minority/woman business
15 focus media; (3) notifying MBE/WBES who are available to perform
16 the work contemplated in a contract, soliciting their interest in
17 the contract; (4) dividing the contract work into economically
18 feasible units to facilitate MBE/WBE participation in the
19 contract; (5) pursuing solicitations of interest by contacting
20 MBE/WBES to determine whether these businesses are interested in
21 participating on the contract; (6) providing MBE/WBES with
22 adequate information about the plan, specifications and
23 requirements of the contract; (7) where applicable, negotiating
24 with MBE/WBES in good faith and demonstrating that MBE/WBES were
25 not rejected as unqualified without sound reasons based on a

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1 thorough investigation of their capabilities; and (8) using the
2 services of available community and contractors' groups, local,
3 State or Federal minority and woman business assistance offices
4 that provide assistance in the recruitment of MBE/WBES for public
5 sector contracts.

6 "Good Faith Efforts" when required of a prime public
7 works/construction contractor or ((construction-related))

8 professional services provider shall mean the steps undertaken to
9 comply with the goals and requirements imposed by the City for
10 participation by minority and woman business enterprises as
11 subcontractor, and shall include the following:

12 (1) Attending any presolicitation or prebid meetings
13 scheduled by the City to inform all bidders of the minority and
14 women business enterprise program requirements for the project
15 for which the contract will be awarded.

16 (2) Identifying and selecting specific items of the
17 project for which the contract will be awarded to be performed by
18 minority or women business enterprises to provide an opportunity
19 for participation by those enterprises.

20 (3) Advertising, not less than 10 calendar days before the
21 date the bids are opened, in one or more daily or weekly
22 newspapers, trade association publications, minority or trade
23 oriented publications, trade journals, or other media, specified
24 by the City for minority or women business enterprises that are
25 interested in participating in the project. This paragraph

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1 applies only if the City gave public notice of the project not
2 less than 15 calendar days prior to the date the bids are opened.

3 (4) Providing written notice of his or her interest in
4 bidding on the contract to the number of minority or woman
5 business enterprises required to be notified by the project
6 specifications not less than 10 calendar days prior to the
7 opening of bids. The City shall make available to the bidder not
8 less than 15 calendar days prior to the date the bids are opened
9 a list or a source of lists of enterprises which are certified by
10 the Director as minority or woman business enterprises.

11 (5) Following up initial solicitations of interest by
12 contacting the enterprises to determine with certainty whether
13 the enterprises were interested in performing specific items of
14 the project.

15 (6) Providing interested minority and woman business
16 enterprises with information about the plans, specifications, and
17 requirements for the selected subcontracting or material supply
18 work.

19 (7) Requesting assistance from minority and woman
20 community organizations; minority and woman contractor or
21 professional groups; local, state, or federal minority and woman
22 business assistance offices; or other organizations that provide
23 assistance in the recruitment and placement of minority or woman
24 business enterprises, if any are available.

25 (8) Negotiating in good faith with the minority or woman

1 business enterprises, and not unjustifiably rejecting as
2 unsatisfactory bids or proposals prepared by any minority or
3 woman business enterprises, as determined by the City.

4 (9) Where applicable, advising and making efforts to
5 assist interested minority and woman business enterprises in
6 obtaining bonds, lines of credit, or insurance required by the
7 City or contractor.

8 (10) Making efforts to obtain minority and woman business
9 enterprise participation that the City could reasonably expect
10 would produce a level of participation sufficient to meet the
11 City's goals and requirements.

12 "Human Rights Commission" (HRC) shall mean the Human Rights
13 Commission of San Francisco, consisting of Commissioners
14 appointed by the Mayor; hereinafter, it shall be referred to as
15 the Commission.

16 "Joint venture" shall mean and may be referred to as an
17 "Association" of two or more businesses acting as a contractor
18 and performing or providing services on a contract, in which each
19 joint venture or association partner combines property, capital,
20 efforts, skill, and/or knowledge.

21 "Lease" shall mean and include an agreement by which the
22 City and County of San Francisco or any contracting agency
23 thereof, grants to a person the temporary possession and use of
24 property for reward, and the latter agrees to return the same to
25 the former at a future time. A "lease" shall not include an

1 agreement to perform construction-related services.

2 "Local Business" or "Local Business Enterprise (LBE)" shall
3 mean an economically disadvantaged business which is an
4 independent and continuing business for profit, performs a
5 commercially useful function and is a firm: (1) with fixed
6 offices or distribution points located within the geographical
7 boundaries of the City and County of San Francisco; (2) listed in
8 the Permits and License Tax Paid File with a San Francisco
9 business street address; and (3) which possesses a current
10 Business Tax Registration Certificate at the time of the
11 application for certification as a local business. Post Office
12 box numbers or residential addresses shall not suffice to
13 establish status as a "Local Business". To qualify as a "Local
14 Business" or "LBE" a business must establish that it has been
15 located and doing business in San Francisco for at least six
16 months preceding its application for certification as a local
17 business.

18 "Lower tier subcontracting" shall mean any agreement or
19 other arrangement between a subcontractor and a person as defined
20 herein where it is agreed that said person shall perform any
21 term, condition or obligation imposed by the subcontract upon the
22 subcontractor.

23 "Minority", "Minorities", or "Minority person" shall mean
24 members of one of the following ethnic groups: Asians (defined
25 as Chinese, Japanese, Koreans, Pacific Islanders, Samoans,

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1 Filipinos, Asian Indians and Southeast Asians), Blacks, and
2 Latinos (defined as Mexicans, Puerto Ricans, Cubans, Central or
3 South Americans).

4 "Minority Business Enterprise (MBE)" shall mean an
5 economically disadvantaged local business which is an independent
6 and continuing business for profit, performs a commercially
7 useful function, and is owned and controlled by one or more
8 minority persons residing in the United States or its territories.

9 "Miscellaneous Professional Services" shall mean all
10 professional services except legal, architect/engineer, computer
11 systems, management consulting and medical services.

12 "Office" or "Offices" shall mean a fixed and established
13 place where work is carried on of a clerical, administrative,
14 professional or production nature directly pertinent to the
15 business being certified. A temporary location or movable
16 property or one that was established to oversee a project such as
17 a construction project office does not qualify as an "Office"
18 under the Ordinance.

19 "Owned", for purposes of determining whether a business is
20 a minority business enterprise or woman business enterprise,
21 shall mean that the minorities or women as the context requires,
22 shall possess an ownership interest of at least fifty-one percent
23 (51%) of the business, and shall:

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1. Possess incidents of ownership, such as an interest in profit and loss, equal to it least the required ownership interest percentage; and
2. Contribute capital, equipment and expertise to the business equal to at least the required ownership percentage.

Ownership of an individual seeking MBE or WBE certification shall be measured as though the applicant's ownership is not subject to the community property interest of a spouse, if both spouses certify that (a) only the woman or minority spouse participates in the management of the business and (b) the non-participating spouse relinquishes control over his/her community property interest in the subject business; or both spouses have bona fide management and control of the business.

"Participation commitment" shall mean the targeted level of MBE/WBE subcontractor participation that each prime public works/construction contractor or professional service provider has designated in its bid.

"Participation Goals" shall mean the targeted levels of City wide MBE/WBE participation in City prime contracts that reflect the relevant share of MBEs or WBEs in a given industry or profession referred to as "percent availability" in the utilization indices contained in Appendix X to this Ordinance.

"Percent Availability" see "Participation Goals".

"Person" includes one or more individuals, partnerships, associations, organizations, trade or professional associations,

corporations, cooperatives, legal representatives, trustees, trustees in bankruptcy, receivers, or any group of persons, including any official, agent or employee of the City and County of San Francisco.

"Professional Services Contract" shall mean agreements for the procurement of legal, architect/engineer, computer systems, management consulting, medical services and miscellaneous professional services.

"Public Works/Construction Contract" shall mean agreements for the construction, reconstruction or repair of public buildings, streets, utilities or other public works or improvements.

"Set Aside" when referring to a contract or project shall mean a procurement or contract award process where competition for a contract or project is limited to MBEs, WBEs and/or joint ventures with MBE/WBEs.

"Subcontractor" shall mean any business providing goods or services to a contractor for profit, if such goods or services are procured or used in fulfillment of the contractor's obligations arising from a contract with the City and County of San Francisco.

"Subcontractor Participation Goals" shall mean the targeted level of MBE/WBE subcontractor participation designated by the Director for prime public works/construction and professional services contracts.

1 "Woman Business Enterprise (WBE)" shall mean an economically
2 disadvantaged local business which is an independent and
3 continuing business for profit, performs a commercially useful
4 function and is owned and controlled by one or more women
5 residing in the United States or its territories.

6 "Woman/Minority Man Business Enterprise (W/MBE)" shall mean
7 an economically disadvantaged local business which meets the
8 definition of an MBE or WBE, except that the aggregate ownership
9 interest of the woman and the minority man equals or exceeds
10 fifty-one percent (51%) of the business. An W/MBE shall qualify
11 and be deemed by a department an MBE or WBE, but not both, for
12 purposes of this Ordinance. Any reference in this Ordinance to
13 MBE or WBE includes a W/MBE.

14
15 Sec. 12D.8. Powers and Duties of the Mayor, Departments or
16 Contract Awarding Authorities.

17 (A) In addition to the duties given to the Mayor elsewhere,
18 the Mayor shall:

19 1. by July 1 of each fiscal year subject to this
20 Ordinance, issue notices to all City departments informing them
21 of their duties under this Ordinance. The notice shall contain
22 the following information: (1) the City wide MBE/MBE
23 participation goals that departments are expected to use good
24 faith efforts to attain during the fiscal year and that a
25 department's failure to use good faith efforts to attain the

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1 MBE/MBE participation goals shall be reported to the Board of
2 Supervisors and Chief Administrative Officer in the Commission's
3 annual report; and (2) the data each department is required to
4 provide the Controller on each contract award;

5 2. pursuant to Charter Section 3.100, coordinate and
6 enforce cooperation and compliance by all departments with this
7 Ordinance.

8 3. establish a three member Contract Review Committee
9 who shall have the authority to review contracts proposed by the
10 Director or a department to be set aside, where competition for
11 these contracts is limited to MBEs, WBEs and/or joint ventures
12 with MBE/WBEs. The three member Contract Review Committee shall
13 be composed of the HRC Director, an individual appointed by the
14 Chief Administrative Officer and an individual appointed by the
15 Mayor. The Chief Administrative Officer and the Mayor shall
16 appoint individuals who are knowledgeable about contracting
17 practices of the City and of the industry or profession affected
18 by the set aside of the contract.

19 4. establish a three member Subcontracting Goals
20 Committee which shall have the authority to review decisions by
21 the Director denying a contractor's request, pursuant to
22 12D.9(D)-(4) or 12D.11(A)-(5), to waive or reduce subcontractor
23 participation goals. The three member Subcontracting Goals
24 Committee shall be composed of an individual appointed by the
25 Commission, an individual appointed by the Chief Administrative

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1 Officer and an individual appointed by the Mayor. The
2 Commission, Chief Administrative Officer and the Mayor shall
3 appoint individuals who are knowledgeable about the City's
4 contracting and subcontracting practices and the relevant
5 construction or professional service industry. ((public
6 works/construction industry.)) The Commission, Chief
7 Administrative Officer, or the Mayor may not appoint to the
8 Subcontracting Goals Committee the Director or any employee of
9 the Human Rights Commission.

10 (B) Contract awarding authorities or in the case of a
11 professional services contract, the department making the
12 contract award recommendation, shall:

- 13 1. use good faith efforts to solicit and obtain
14 quotes, bids or proposals from MBEs and WBEs on all
15 solicitations, or document their unavailability;
- 16 2. unless otherwise indicated in this Ordinance and
17 except where prohibited by State or Federal law or regulation,
18 extend a preference in all bids and contracts and in the
19 composition of rating scales as follows: (i) a five percent (5%)
20 preference to (i) a local business or (ii) a joint venture with
21 local MBE or local WBE participation which equals or exceeds
22 thirty-five percent (35%) but is under forty percent (40%); or
23 (iii) where a joint venture is composed of only local businesses
24 with no local MBE or WBE participation or where the local MBE or
25 local WBE participation is less than thirty-five percent (35%);

(2) a seven and one-half percent (7.5%) preference to: (i) a
joint venture with local MBE or WBE participation which equals or
exceeds forty percent (40%) but is less than fifty-one percent
(51%); (3) a ten percent (10%) preference to (i) a local MBE or
local WBE or (ii) a joint venture with local MBE or local WBE
participation which equals or exceeds fifty-one percent (51%).

A joint venture shall receive the aforementioned
appropriate bid preference when the MBE or WBE is an active
partner in the joint venture and performs work, manages the job
and takes financial risks in proportion to the required level of
participation stated in the bid documents and is responsible for
a clearly defined portion of the work to be performed, and shares
in the ownership, control, management responsibilities, risks,
and profits of the joint venture. The portion of the MBE or WBE
joint venturer's work shall be set forth in detail separately
from the work to be performed by the nonMBE or nonWBE joint
venture partner. The MBE or WBE joint venturer's portion of the
contract must be assigned a commercially reasonable dollar value;

3. arrange contracting by size and type of work to be
performed so as most effectively to enhance the opportunity for
participation by MBEs and WBEs to the maximum extent feasible.
As soon as practical before soliciting quotes, bids or proposals,
all contract awarding authorities or in the case of a
professional services contract, the department making the
contract award recommendation, shall submit all large proposals

1 to the Director for review. The purpose of the Director's review
2 is to determine whether the proposed project can be divided into
3 smaller projects so as to enhance the opportunity for
4 participation by MBEs and WBEs in the project. For purposes of
5 this subsection, the term "large project" shall mean the
6 following: (1) any public works/construction project estimated to
7 cost more than five million dollars (\$5,000,000); (2) any
8 professional services contract estimated to cost more than fifty
9 thousand dollars (\$50,000). If the Director determines, after
10 consulting with the contract awarding authority or department
11 responsible for the project, that the project can be divided into
12 smaller projects, the contract awarding authority or department
13 shall comply with the Director's determination and issue the
14 solicitation for quotes, bids or proposals in accordance with the
15 Director's determination;

16 4. adjust bid bonding and insurance requirements as
17 recommended by the City Risk Manager in his May 2, 1989 "Contract
18 Insurance Manual";

19 5. utilize a revolving fund as may be established by
20 the City to assist MBEs and WBEs to meet bonding, insurance and
21 other fee-related requirements;

22 6. submit to a central office all current bids,
23 requests for proposals, and solicitations with sufficient lead
24 time to provide adequate notice and opportunity to MBEs and WBEs
25 to participate;

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1 7. impose such sanctions or take such other actions as
2 are designed to ensure compliance with the provisions of this
3 Ordinance, which shall include, but are not limited to:

4 (a) refusal to grant the award of a contract;

5 (b) order the suspension of a contract;

6 (c) order the withholding of funds;

7 (d) order the revision of a contract based upon a

8 material breach of contract provisions pertaining
9 to MBE or WBE participation;

10 (e) disqualification of a bidder, contractor,
11 subcontractor, or other business from eligibility
12 for providing goods or services to the City for a
13 period not to exceed five years, with a right to
14 review and reconsideration by the Commission after
15 two years upon a showing of corrective action
16 indicating violations are not likely to recur; and
17 8. not award any contract to a person or business

18 which is disqualified from doing business with the City under the
19 provisions of this Ordinance, nor shall any contract be awarded
20 to any person or business which is disqualified from doing
21 business with any governmental agency based on failure to comply
22 with Minority or Women Business Enterprise or contract compliance
23 requirements which are substantially the same as those of this
24 Ordinance;

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1 9. designate a staff person to be responsible for
2 responding to the Director and Commission and to the requirements
3 of this Ordinance;

4 10. maintain accurate records for each contract
5 awarded, its dollar value, the nature of the goods or services to
6 be provided, the name of the contractor awarded the contract, the
7 efforts made by a construction, architect/engineer contractor to
8 solicit bids from and award subcontracts to MBEs and WBEs;

9 11. where feasible, provide technical assistance to
10 MBEs and WBEs to increase their ability to compete effectively
11 for the award of City contracts.

12 12. work with the Director and the Controller to
13 establish a Citywide prompt payment policy requiring that MBEs,
14 WBEs and LBEs be paid by the City within 60 days of the date on
15 which the City receives an invoice from an MBE, WBE or LBE for
16 work performed for the City.

17 13. provide the Director with written notice of all
18 contract modifications which result in an increase or decrease of
19 the contract's dollar amount of more than ten percent. Such
20 notice shall be provided within 30 days of each such contract
21 modification.

22 (C) Subject to the prior approval of the Director, contract
23 awarding authorities or departments may invite, encourage or
24 request businesses to joint venture on any contract to promote
25 MBE or WBE participation.

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(D) For the purpose of determining Minority and Women
Business Enterprise participation:

Contracts awarded to joint ventures in which one or more
MBEs or WBEs are combined with one or more businesses which are
not Minority or Women Business Enterprises shall be deemed to be
awarded to Minority or Women Business Enterprises only to the
extent of the Minority or Women Business Enterprises
participation in the joint venture.

(E) All contracts subject to this Ordinance shall include
the following requirements, in addition to such other

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1 requirements as may be set forth elsewhere:

2 1. bidders and contractors on all contracts shall be
3 required to sign ~~before a notary~~ an affidavit prepared by the
4 City Attorney, declaring ^{under penalty of perjury} their intention fully to comply with the
5 provisions of the Ordinance;

6 2. contracts shall incorporate this Ordinance by
7 reference and shall provide that the willful failure of any
8 bidder or contractor to comply with any of its requirements shall
9 be deemed a material breach of contract;

10 3. contracts shall provide that in the event that the
11 Director finds that any bidder, subcontractor or contractor
12 willfully fails to comply with any of the provisions of this
13 Ordinance, rules and regulations implementing the Ordinance or
14 contract provisions pertaining to MBE or WBE participation the
15 bidder, subcontractor or contractor shall be liable for
16 liquidated damages for each contract in an amount equal to the
17 bidder's or contractor's net profit on the contract, or ten
18 percent (10%) of the total amount of the contract or one thousand
19 dollars (\$1,000) whichever is greatest, said amount to be
20 determined by the Director pursuant to Section 12D.14.(C). All
21 contracts shall also contain a provision in which the bidder,
22 subcontractor or contractor acknowledges and agrees that the
23 liquidated damages assessed shall be payable to the City upon
24 demand and may be set off against any monies due to the bidder,
25 subcontractor or contractor from any contract with the City;

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1 4. contracts shall require bidders, contractors, and
2 subcontractors to maintain records necessary for monitoring their
3 compliance with this Ordinance;

4 5. contracts shall require that during the term of the
5 contract, the prime contractor shall fulfill the MBE and WBE
6 participation commitments submitted with their bid;

7 6. Contracts shall require prime contractors to
8 include a contract provision in any subcontract with an MBE or
9 WBE which provides MBE and WBE subcontractors with a remedy for a
10 prime contractor's non-compliance with his or her commitment to
11 utilize MBE and WBE subcontractors. This contractual provision
12 shall include an agreement by the prime contractor to compensate
13 any MBE or WBE subcontractor if the prime contractor does not
14 fulfill its commitment to utilize the MBE or WBE subcontractor.
15 This contractual provision shall also state that it is
16 enforceable in a court of competent jurisdiction.

17 7. Whenever contract supplements, amendments or change
18 orders are made which cumulatively increase the total dollar
19 value of a construction contract by more than ten percent (10%),
20 the contractor shall comply with those MBE and WBE provisions of
21 this Ordinance which applied to the original contract with
22 respect to the supplement, amendment, or change order.

23 8. Contracts in which subcontracting is utilized shall
24 prohibit back contracting to the prime contractor or lower tier
25 subcontracting for any purpose inconsistent with the provisions

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1 of this Ordinance, rules and regulations adopted pursuant to this
2 Ordinance, or contract provisions pertaining to MBE and WBE
3 utilization.

4 (F) All contracts or other agreements between the City and
5 County of San Francisco and persons or entities, public or
6 private, where such persons or entities receive money from or
7 through the City for the purpose of contracting with businesses
8 to perform public improvements, shall require such persons or
9 entities to comply with the provisions of this Ordinance in
10 awarding and administering such contracts, except where
11 prohibited by State or Federal law or regulation.

12 (G) Where a department can demonstrate, despite its good
13 faith efforts and application of the bid preference(s), that it
14 has failed substantially to eliminate the exclusion of MBEs or
15 WBEs from City contracting, the department, after consulting with
16 the Director, may request the Contract Review Committee
17 established in Section 12D.8.(A)3. to review and approve the
18 proposed project(s) selected by the department for a set aside.

19 (H) City department heads and commissioners shall attend a
20 one hour mandatory training session on an annual basis. The
21 training session shall be organized and conducted by the Director
22 and shall inform City department heads and commissioners of the
23 requirements of this Ordinance.

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11 Sec. 12D.11. Additional Findings Supporting the Race and
12 Gender-Conscious Bid Preferences -- Consultants and Professional
13 Services.

14 (A) In addition to the General Findings set forth in
15 and 12D.2-1,
16 Section 12D.2. and based upon the record before this Board, the
17 Board hereby makes additional findings in support of the race and
18 gender-conscious bid preferences for the following specifically
19 enumerated professional services contracts: legal, architect and
20 engineer, computer systems, management consulting, medical
21 services.

22 1. In Ordinance No. 139-84 this Board identified
23 discriminatory procurement practices against MBEs and WBEs in the
24 award of prime professional services contracts.

25 2. The evidence before this Board relating to the
award of prime legal services contracts for fiscal year 1987-1988
reflects that Black law firms continue to be awarded contract
dollars in amounts that are disproportionately lower than the
available numbers of Black law firms willing and able to perform
legal services for the City. These results cannot be attributed
to chance. This Board finds that these results can only be
attributed to discriminatory procurement practices.

The statistical evidence before this Board reflects that
there are few Asian, Black, Latino and women owned law firms
certified by the Director to provide legal services to the City.
An April 1988 San Francisco Bar Association study concludes that

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1 there is significant disparity between equally qualified white
2 and minority lawyers in terms of income, current employment
3 positions, hiring, promotion and retention in San Francisco. The
4 study also concludes that a high percentage of white and minority
5 lawyers believe that racial discrimination plays a role in the
6 employment practices of San Francisco legal employers. The
7 report of the Judicial Council Advisory Committee on Gender Bias
8 in the Courts on Civil Litigation and Courtroom Demeanor
9 concludes, among other points, that opportunities for
10 advancement and promotion in the legal profession appear less
11 available to women than to men. In view of these studies, the
12 Board finds that minority lawyers are excluded from employment
13 opportunities due to discriminatory employment practices in San
14 Francisco and that women lawyers are excluded from employment
15 opportunities due to discriminatory practices in California.
16 These employment practices prevent minority and women lawyers
17 from gaining the necessary experience that would enable minority
18 and women lawyers to compete for City legal services contracts.
19 The City in its award of legal services contracts will become a
20 passive participant in those practices.

21 The City is granting Asian, Black, Latino and women owned
22 law firms a bid preference pursuant to Section 12D.8.(B)2. to
23 encourage majority law firms to joint venture with these minority
24 and women owned law firms when competing for the award of City
25 contracts for legal services. Department shall also grant a

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1 seven and one-half percent (7.5%) bid/rating preference to any
2 majority owned law firm based in San Francisco that enters into
3 an affirmative action program with the Director and agrees to
4 take affirmative action to perform the following: (1) increase
5 the recruitment, hiring, retention and advancement to partnership
6 of minority lawyers within the firm; (2) have minority lawyers
7 within the firm capable of providing the required services
8 included among those who represent the City; (3) maintain and
9 expand existing joint ventures or other formal associations with
10 minority owned law firms, and retain and otherwise enter into
11 joint ventures or other formal associations with minority owned
12 law firms with which the firm does not currently have such a
13 relationship, on legal matters of the law firm clientele calling
14 for such a relationship; (4) request all law firms which serve as
15 associate counsel, co-counsel or local counsel to the firm to
16 adopt in principle these goals; (5) refer conflict of interest
17 situations to minority owned law firms; and (6) take such
18 additional steps as are practicable to foster and enhance
19 relations between the majority firm and minority owned law firms,
20 including but not limited to providing educational and training
21 opportunities in furtherance of the objectives of this Ordinance
22 as it relates to the legal profession. The affirmative action
23 program developed pursuant to this subsection shall be effective
24 for a period of twelve (12) months after the date of agreement in
25 writing by the law firm and the Director or the term of the legal

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1 services contract, whichever term is greater.

2 3. The evidence before this Board relating to the
3 award of prime architect and engineering contracts for fiscal
4 year 1987-1988 reflects that Black and woman owned architectural/
5 engineering firms continue to be awarded contract dollars in
6 amounts that are disproportionately lower than the available
7 numbers of Black and woman owned architectural/engineering firms
8 willing and able to perform these services for the City. The
9 evidence before this Board relating to the award of prime
10 architect and engineering contracts for fiscal year 1989-1990
11 reflects that Asian owned architectural/engineering firms have
12 been awarded contract dollars in amounts that are
13 disproportionately lower than the available numbers of Asian
14 owned architectural/engineering firms willing and able to perform
15 these services for the City. Given that Asian owned
16 architectural/engineering firms enjoy a relatively large share of
17 this market, these statistically significant results cannot be
18 attributed to chance. This Board finds that these results can
19 only be attributed to discriminatory procurement practices.

20 The evidence before this Board relating to the award of
21 prime architect and engineering contracts for fiscal year
22 1989-1990 reflects that Latino owned architectural/engineering
23 firms have not been awarded any contract dollars notwithstanding
24 the available numbers of Latino owned architectural/engineering
25 firms willing and able to perform these services for the City.

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1 Based on the statistical and other evidence before this Board,
2 the Board concludes that the lack of participation by Latino
3 owned architectural and engineering firms on prime
4 architectural/engineering contracts cannot be attributed to
5 chance. This Board finds that these results can only be
6 attributed to discriminatory procurement practices.

7 4. The evidence before this Board relating to the
8 award of prime computer systems services contracts for fiscal
9 year 1987-1988 reflects that Asian, Black and woman owned
10 computer systems firms continue to be awarded contract dollars in
11 amounts that are disproportionately lower than the available
12 numbers of Asian, Black and woman owned computer systems firms
13 willing and able to perform these services for the City. These
14 results cannot be attributed to chance. This Board finds that
15 these results can only be attributed to discriminatory
16 procurement practices.

17 5. The evidence before this Board relating to the
18 award of prime management consulting services contracts for
19 fiscal year 1987-1988 reflects that Asian, Black and woman-owned
20 management consulting firms continue to be awarded contract
21 dollars in amounts that are disproportionately lower than the
22 available numbers of Asian, Black and woman owned management
23 consulting firms willing and able to perform these services for
24 the City. These results cannot be attributed to chance. This
25 Board finds that these results can only be attributed to

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discriminatory procurement practices.

6. The evidence before this Board relating to the award of prime medical services contracts for fiscal year 1987-1988 reflects that Asian, Latino and woman owned medical services firms continue to be awarded contract dollars in amounts that are disproportionately lower than the available numbers of Asian, Latino and woman owned medical services firms willing and able to perform these services for the City. The evidence before this Board relating to the award of prime medical services contracts for fiscal year 1989-1990 reflects that Black owned medical services firms are awarded contract dollars in amounts that are disproportionately lower than the available numbers of Black owned medical services firms willing and able to perform these services for the City. These results cannot be attributed to chance. This Board finds that these results can only be attributed to discriminatory procurement practices.

7. The evidence before this Board relating to the award of prime miscellaneous professional services contracts for fiscal year 1989-1990 reflects that Asian, Latino, Black and woman owned firms which provide miscellaneous professional services are awarded contract dollars in amounts that are disproportionately lower than the available numbers of Asian, Latino, Black and woman owned firms willing and able to perform these services for the City. These results cannot be attributed to chance. This Board finds that these results can only be

KENNEDY, HSIEH AND ACHTENBERG, SHELLEY, ALIOTO
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attributed to discriminatory procurement practices.

8. The evidence before this Board supports the conclusion that aforementioned MBEs and WBEs are disadvantaged by discriminatory practices when competing for City prime professional services contracts.

9. The Board is granting a competitive advantage, the bid preference, to the MBEs and WBEs identified as having been subject to the identified competitive disadvantage caused by the City's discriminatory procurement practices in the award of the aforementioned professional services contracts.

11/20 11
mlr
10. The evidence before this Board relating to the

award of professional services contracts for fiscal year 1990-1991 reflects that certain minority groups have improved their participation in certain City professional services contracts. However, based on the testimony and other evidence before this Board, the Board concludes that remedial action continues to be necessary to enable these groups to overcome past discrimination in the award of professional services contracts. The Director shall closely monitor the participation of these groups in professional services contracts and report the results of such monitoring to the Board pursuant to Section 12D.6(B)2.

(A)-(1) In addition to the general findings set forth in Section 12D.2 and the findings set forth in 12D.11(A)3, and based upon the record before this Board, the Board hereby makes these additional findings in support of establishing subcontractor

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1 participation goals for architectural/engineering contracts:

2 a. The evidence before this Board relating to the
3 award of architectural and engineering prime contracts and
4 subcontracts for fiscal years 1989-1991 shows that Black-,
5 Asian-, Latino- and woman-owned architectural and engineering
6 firms continue to be awarded contract dollars in amounts that are
7 disproportionately lower than the available numbers of Black-,
8 Asian-, Latino- and woman-owned architectural and engineering
9 firms willing and able to perform these services for the City.
10 These statistically significant disparities exist despite the
11 fact that Black-, Asian-, Latino- and woman-owned firms are

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25 KENNEDY, HSIEH AND ACHTENBERG
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1 entitled to a bid preference on prime architectural and
2 engineering contracts. In light of the testimony before this
3 Board and the Commission in 1983, 1984, 1988, 1989, 1991 and
4 1992, the San Francisco Redevelopment Agency in 1991, and the San
5 Francisco Unified School District in 1991 and 1992, this Board
6 finds that these results can be attributed in part to
7 discriminatory contracting practices and in part to discrimination
8 in the local architectural and engineering industries against MBE
9 and WBE architects and engineers. This discrimination is
10 manifested in, and perpetuated and exacerbated by, the City's
11 contracting practices.

12 b. The evidence before this Board supports the
13 conclusion that MBEs and WBEs continue to be disadvantaged by
14 discriminatory practices when competing for City architectural
15 and engineering contracts, and when competing to provide
16 subcontractor services on City architectural and engineering
17 contracts. The weight of the testimony and other evidence before
18 this Board supports the conclusion that nonminority architects
19 and engineers competing for or doing business with the City
20 and/or in the private sector limit the participation of MBE and
21 WBE subcontractors on architectural and engineering contracts by
22 engaging in discriminatory business practices.

23 c. Race-neutral measures employed by the City in the
24 past did not prevent the discriminatory practices from
25 occurring. Since February 1989 the City has pursued race-neutral

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1 measures to facilitate MBE/MBE subcontractor participation in
2 architectural and engineering contracts. From about February 1
3 to June 30, 1989 the City adopted a race-neutral disadvantaged
4 business program for its architectural and engineering
5 contracts. Since July 1, 1989 the City has urged prime
6 architects and engineers to voluntarily extend subcontracting
7 opportunities to MBE/MBE subcontractors on City architectural and
8 engineering contracts. These race and gender neutral measures
9 employed by the City have not been successful in increasing
10 MBE/MBE participation in City architectural and engineering
11 contracts.

12 (A)-(2) MBE/MBE Subcontracting Program. For all
13 architectural and engineering contracts which the contract
14 awarding authority reasonably anticipates will include
15 subcontractor participation involving architectural/engineering
16 and related services, the contract awarding authority, prior to
17 requesting proposals, shall provide the Director with a proposed
18 job scope, and may submit written recommendations to the Director
19 regarding MBE and MBE subcontractor participation goals to be set
20 for the contract. The Director shall set the participation goals
21 pursuant to Section 12D.11(A)-(3).

22 (A)-(3) Upon receipt of a proposed job scope and/or a
23 written recommendation from a contract awarding authority
24 pursuant to Section 12D.11(A)-(2), the Director, shall set the
25 MBE and MBE participation goals for each architectural and

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1 engineering contract based upon the following factors:
2 1. the extent of subcontracting opportunities presented
3 by the contract for architectural/engineering and related
4 services;

5 2. the availability of MBE/MBE subcontractors capable
6 of providing such services on the contract.

7 The Director shall set the MBE and MBE participation goals
8 within ten working days of the date the Director receives from a
9 contract awarding authority a proposed job scope and/or written
10 recommendation. If the Director fails to act within ten days,
11 and if the contract awarding authority submitted to the Director
12 recommended goals pursuant to 12D.11(A)-(2), the recommended
13 goals shall be deemed approved by the Director, provided that the
14 recommended goals are based upon the factors identified in this
15 subsection.

16 (A)-(4) Requests for proposals shall require bidders on
17 architectural and engineering contracts to do the following:

18 1. demonstrate in their proposal that they have used
19 good faith efforts to utilize MBE and MBE subcontractors;

20 2. identify the particular MBE and MBE subcontractors
21 (which may include lower tier MBE and MBE subcontractors) to be
22 utilized in performing the contract, specifying for each the
23 dollar value of participation, the type of work to be performed
24 and such information as may reasonably be required to determine
25 the responsiveness of the proposal.

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1 Except as provided in Section 12D.11(A)-(7), proposals not
2 meeting the requirements of Section 12D.11(A)-(4) shall be
3 declared non-responsive.

4 (A)-(5) A contract awarding authority may request that the
5 Director waive or reduce the MBE and WBE subcontractor
6 participation goals on architectural and engineering contracts by
7 submitting the reasons therefor in writing to the Director prior
8 to requesting proposals.

9 (A)-(6) A bidder may request that the Director waive or
10 reduce the MBE and WBE subcontractor participation goals on an
11 architectural or engineering contract by submitting the reasons
12 therefor in writing to the contract awarding authority with its
13 bid.

14 (A)-(7) The Director may grant the request for waiver or
15 reduction made pursuant to Sections 12D.11(A)-(5) and (A)-(6)
16 upon a determination that:

- 17 1. the reasonable and necessary requirements of the
18 architectural or engineering contract render subcontracting or
19 the participation of businesses other than the bidder unfeasible;
- 20 2. qualified MBEs and/or WBEs capable of providing the
21 services required by the contract are unavailable, despite the
22 bidder's or the department's good faith efforts to locate MBEs
23 and WBEs to meet the participation goals; or
- 24 3. the available MBEs and WBEs have given price quotes
25 which are unreasonably high in that they exceed competitive

1 levels beyond amounts which can be attributed to cover costs
2 inflated by the present effects of discrimination.

3 (A)-(8) Whenever the Director denies a bidder's request to
4 waive or reduce the participation goals, the bidder may appeal
5 that denial to the Subcontracting Goals Committee established
6 pursuant to Section 12D.8(A)4. The Subcontracting Goals
7 Committee's decision on the request shall be final. In reviewing
8 the Director's denial of a bidder's request to waive or reduce
9 participation goals, the Subcontracting Goals Committee shall
10 consider the extent of subcontracting opportunities presented by
11 the contract and the availability of MBE/WBE subcontractors
12 capable of providing services on the contract.

13 The Subcontracting Goals Committee may overrule the
14 Director and grant the request for waiver or reduction only upon
15 finding that:

- 16 1. the reasonable and necessary requirements of the
17 contract render subcontracting or the participation of businesses
18 other than bidder unfeasible;
- 19 2. qualified MBEs and/or WBEs capable of providing the
20 services required by the contract are unavailable, despite the
21 bidder's or the department's good faith efforts to locate MBEs
22 and WBEs to meet the participation goals; or
- 23 3. the available MBEs and WBEs have given price quotes
24 which are unreasonably high in that they exceed competitive
25 levels beyond amounts which can be attributed to cover costs

1 inflated by the present effects of discrimination.

2 (A)-(9) The contract awarding authority shall require
3 bidders on architectural and engineering contracts to contract all
4 MBEs and WBEs listed as subcontractors in proposals before
5 listing such MBEs and WBEs.

6 (A)-(10) During the term of the contract, any failure to
7 comply with the level of MBE and WBE subcontractor participation
8 specified in the contract shall be deemed a material breach of
9 contract.

10 (A)-(11) In implementing this subcontracting program, the
11 Director may encourage contract awarding authorities and prime
12 contractors to take into consideration when recruiting
13 subcontractors the degree of underutilization of MBEs and WBEs
14 within the specific industries or subindustries called for by the
15 contract.

16 (B) For all professional services contracts as defined
17 herein, the contract awarding authority or the department making
18 the contract award recommendation shall furnish the Director with
19 an informational copy of all bid conditions and requests for
20 proposals, if any, along with a statement identifying all funds
21 provided by any other governmental agency which will be used in
22 payment of the contract. Prior to solicitation of bids or
23 proposals, the Director may make recommendations to the contract
24 awarding authority with respect to provisions pertaining to MBE
25 and WBE participation.

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1 (C) Professional Services contracts, the estimated cost of
2 which exceeds ten thousand dollars (\$10,000), shall be awarded
3 and administered in accordance with the following standards and
4 procedures:

5 1. The contract awarding authority or the department
6 making the contract award recommendation shall use good faith
7 efforts to solicit bids or proposals from MBEs and WBEs certified
8 to provide the specified services. MBEs and WBEs shall be
9 provided every practical opportunity to submit bids or proposals;

10 2. City departments shall include amongst consultant
11 selection panelists individuals who are women and minorities.

12 3. All consultant selection panels and awarding
13 officers shall apply the bid/rating preferences to each stage of
14 the selection process, e.g. qualifications, proposals and
15 interviews. Each evaluator shall score each consultant on a
16 point system based on a predetermined evaluation criteria and
17 predetermined point value. The selection criteria shall be based
18 solely on objective factors that are related to the ability of
19 the contractor to perform the proposed project. The bid/rating
20 preference shall be applied to the score attained by the MBE,
21 WBE, and/or LBE as set forth in this Ordinance. If the highest
22 score is attained by a MBE or WBE, the department shall enter
23 into good faith negotiations with that consultant. Subject to
24 the prior approval of the Director and upon a showing that those
25 negotiations were undertaken in good faith with the

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1 aforementioned MBE or WBE consultant, a department may award the
2 contract to another competing consultant.

3 4. The Director is empowered to take actions as are
4 designed to ensure compliance with the provisions of this
5 section, which shall include, but are not limited to:

- 6 (a) order the suspension of the selection process;
7 (b) intervene in the selection process to correct
8 contracting practices which hinder equal
9 business opportunities for MBEs and WBEs.

10 Section 2. This ordinance shall take effect on October 1,
11 1992, and shall govern all architectural/engineering contracts
12 for which a bid has not been solicited by the effective date.

13 APPROVED AS TO FORM:

14 LOUISE H. RENNE
15 CITY ATTORNEY

16 By

17 Deputy City Attorney

18 KENNEDY, HSIEH AND ACHTENBERG, SHELLEY, ALIOTO
19 8/26/92
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22 3508g

Board of Supervisors, San Francisco

Passed for Second Reading § Finally Passed
August 31, 1992 § September 8, 1992

Ayes: Supervisors Achtenberg Britt
Conroy Hallinan Hsieh Kennedy
Maher Shelley

§ Ayes: Supervisors Achtenberg Alioto
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Shelley

Absent: Supervisors Alioto Gonzalez
Migden

§ Absent: Supervisors Britt Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
284-92-4

SEP 16 1992
Date Approved

Mayor

(Underground District)

CREATING UNDERGROUND DISTRICT NO. 317 IN SUTRO HEIGHTS DISTRICT.

NOTE: This entire Section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 901, et seq. of Article 18, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby create the following underground district:

Underground District No. 317

(Sutro Heights District)

Stage one. 48th Avenue, east side, from the southerly line of Sutro Heights Avenue to the north side of Geary Boulevard. Geary Boulevard from the easterly line of 48th Avenue to 47th Avenue. 47th Avenue from the northerly line of Geary Boulevard to Anza Street.

Section 2. The undergrounding of facilities within this underground district is in the general public interest in that said action will eliminate a heavy concentration of overhead wires in a scenic area and was requested by public petition of the majority of property owners in the area.

Section 3. All work in connection with the undergrounding of facilities lying within this underground district and subject to the

SUPERVISOR MAHER
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laws with reference to underground districts is to be completed in accordance with the Department of Public Works' program; provided, however, that said work shall be commenced at such time or according to such priority as the Department of Public Works has established.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

DESCRIPTION APPROVED:

By:

JULIA TERNYCK
Deputy City Attorney

Deputy Director to
Engineering and City Engineer

RECOMMENDED:

Director of Public Works

Chief Administrative Officer

SUPERVISOR MAHER

4344W

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07/28/92

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Board of Supervisors, San Francisco

Passed for Second Reading

August 31, 1992

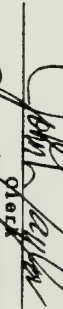
Ayes: Supervisors Achtemberg Alloto
Conroy Hallinan Hsieh Maher
Shelley
Absent: Supervisors Brito Gonzalez
Kennedy Migden

Finally Passed

September 8, 1992

Ayes: Supervisors Achtemberg Alloto
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Shelley
Absent: Supervisors Brito Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco


Clerk

SEP 16 1992
Date Approved


Mayor

File No.
52-92-5

(Grant of Easement)

**AUTHORIZING GRANT OF TWENTY YEAR EASEMENT TO THE CITY OF MODESTO
FOR USE AS A BICYCLE PATH.**

Be it Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Public Utilities Commission, the General Manager of Hetch Hetchy Water and Power, and the Director of Property, the Board of Supervisors hereby declare that the public interest and necessity will not be inconvenienced by the granting of a Twenty (20) year easement to the City of Modesto.

Section 2. The easement is approximately Three (3) miles long and located between Siak Road and Semallion Drive in Modesto, in Stanislaus County, on real Property owned by the City and County of San Francisco, under the jurisdiction of the Public Utilities Commission and its Hetch Hetchy Project, as described more fully in the Grant of Easement Deed on file with the Clerk of the Board of Supervisors.

Section 3. The purpose of the easement is to permit the City of Modesto to construct and maintain a public bicycle path and landscape area.

Section 4. As consideration for this Twenty (20) year grant of easement, the City of Modesto shall maintain, at its cost, the entire 110 foot width of the right of way over the Three (3) mile length of the easement, in addition to the bicycle path and landscaping.

Section 5. In order to facilitate the project, Hetch Hetchy will contribute to the project for three years of the twenty year term as follows:

Year 1 - \$ 4,635

Year 2 - \$ 4,783

Year 3 - \$ 4,060

REAL ESTATE

REAL ESTATE
AMODUR, LTD.

BOARD OF SUPERVISORS

Section 6. The Director of Property has determined that the fair and reasonable value for the easement is less than the annual cost of maintenance. Hetch Hetchy has estimated an annual maintenance savings of approximately \$15,000.

Section 7. The grant of easement is not subject to Master Plan approval or the Eight Priority Policies of Section 101.1 of the City Planning Code.

Section 8. The Director of Property is hereby authorized and directed to execute the Grant of Easement as approved by the City Attorney and recommended by the Public Utilities Commission.

RECOMMENDED :

[Signature]
GENERAL MANAGER, P.U.C.

[Signature]
DIRECTOR OF PROPERTY

Pursuant to PUC Resolution
No. 92-2177

[Signature]
GENERAL MANAGER
HETCH HETCHY WATER AND POWER

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By *[Signature]*

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Board of Supervisors, San Francisco

Passed for Second Reading

August 31, 1992

§ Finally Passed

§ September 8, 1992

Ayes: Supervisors Achtenberg Alioto
 Brito Conroy Hallinan Heish Maher
 Shelley
 Absent: Supervisors Gonzalez Migden
 Kennedy

Ayes: Supervisors Achtenberg Alioto
 Conroy Gonzalez Hallinan Heish
 Kennedy Maher Shelley
 Absent: Supervisors Brito Migden
 Kennedy

I hereby certify that the foregoing ordinance
 was finally passed by the Board of Supervisors
 of the City and County of San Francisco

Clerk

SEP 16 1992
 Date Approved

Mayor

File No.
 82-92-6

1 (Public Pay Telephones)

2 AMENDING SECTIONS 706, 950, 952, 953, 954, 957, 958, 959, AND 960,
3 ADDING SECTIONS 950.1 AND 950.2 AND DELETING SECTION 962 OF ARTICLE
4 19, CHAPTER X, PART II OF THE SAN FRANCISCO MUNICIPAL CODE (PUBLIC
5 WORKS CODE), REGULATING THE INSTALLATION AND MAINTENANCE OF PUBLIC
6 PAY TELEPHONES ON PUBLIC SIDEWALKS, REQUIRING PERMITS AND THE
7 DEPOSIT OF FEES THEREFOR AND PROVIDING FOR ENFORCEMENT OF SAID
8 PERMITTING REQUIREMENTS; 14 MONTH REVIEW.

8/11/92
mlr

9 NOTE: Additions or substitutions are underlined;
10 deletions are in ((double parentheses));
11 Sections 950.1 and 950.2 are new.

12 Be it ordained by the People of the City and County of San Francisco:

13 SECTION 1. Article 15, Chapter X, Part II of the San Francisco
14 Municipal Code (Public Works Code) is hereby amended by amending

15 Section 706 to read as follows:

16 SEC 706. OWNERS OF FRONTAGE RESPONSIBLE FOR REPAIR

17 LIABILITY FOR UNSAFE CONDITIONS. It shall be the duty of the owners
18 of lots or portions of lots immediately adjacent to any portion of a
19 public street, avenue, alley, lane, court or place to maintain the
20 sidewalks and sidewalk areas, including any parking strip, parkway,
21 automobile runway and curb, fronting or adjacent to their property
22 in good repair and condition. This duty shall include removal of
23 any unpermitted structures, including but not limited to unpermitted
24 public pay telephones installed in the sidewalk adjacent to the
25 property. Any person who suffers injury or property damage as a

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1 legal result of the failure of the owner to so maintain the
2 sidewalks and sidewalk areas shall have a cause of action for such
3 injury or property damage against such property owner. The City and
4 County of San Francisco shall have a cause of action for indemnity
5 against such property owner for any damages it may be required to
6 pay as satisfaction of any judgment or settlement of any claim that
7 results from injury to persons or property as a legal result of the
8 failure of the owner to maintain the sidewalks and sidewalk areas in
9 accordance with this Section.

10 Section 2. Article 19, Chapter X, Part II of the San Francisco
11 Municipal Code (Public Works Code) is hereby amended by amending
12 Section 950 to read as follows:

13 SEC. 950. DIRECTOR OF PUBLIC WORKS AUTHORIZED TO ISSUE

14 PERMITS. The Director of Public Works is hereby authorized and
15 empowered to issue permits, revocable at his or her discretion
16 ((will)), to a pay phone service provider ((the serving telephone
17 company)) for the installation and maintenance of public pay
18 telephones ((booths)) on public sidewalks within the City and County
19 of San Francisco. In considering the issuance of permits for such
20 public pay telephones ((booths)), the Director of Public Works shall
21 give due regard to ((the report of the Department of City Planning
22 of September 12, 1966, which recommended that phone booths on public
23 sidewalks be located only where the sidewalk width is 15 feet or
24 more, and not at bus zones, and to the convenience and necessities
25 of the owners, occupants or tenants of the fronting property, and of

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1 other public agencies and utility companies having facilities in the
2 sidewalk area. Telephone booth locations on sidewalks less than 15
3 feet in width shall be submitted to the Department of City Planning
4 for review and recommendation. Installation of telephone booths on
5 public sidewalks shall be subject to the approval of the Art
6 Commission as to design) recommendations of the Interdepartmental
7 Staff Committee on Traffic and Transportation (ISCOTT).
8 Section 3. Article 19, Chapter X, Part II of the San Francisco
9 Municipal Code (Public Works Code) is hereby amended by adding
10 Sections 950.1 and 950.2 thereto to read as follows:

11 SEC. 950.1. DEFINITIONS - PAY PHONE SERVICE PROVIDER:

12 PERMITEE.

13 A pay phone service provider shall mean any person, firm or
14 corporation who owns pay phones or manages and operates a business
15 that directly provides pay phone service.

16 For purposes of this Article, a permittee shall mean a pay
17 phone service provider who holds a valid permit granted by the City
18 and County, through its Director of Public Works, to install and
19 maintain public pay phones on public sidewalks in the City and
20 County of San Francisco.

21 SEC. 950.2. DEPARTMENT TO ADOPT REGULATIONS.

22 (a) The Director of Public Works shall adopt such rules and
23 regulations as it may deem necessary for the public welfare
24 regarding the locations of public pay telephones. Such regulations
25 may include, but not be limited to, a requirement that no person,

1 firm or corporation may install or maintain a public telephone in
2 any location when such location, use or maintenance endangers the
3 safety of persons or property, unreasonably interferes with public
4 utility purposes, public transportation purposes, or other
5 government use or when such public telephone unreasonably interferes
6 with or impedes the flow of pedestrian or vehicular traffic, the
7 ingress or egress of any residence, place of business, any legally
8 parked or stopped vehicles, use of poles, posts, traffic signs or
9 signals, police or fire call boxes, transit shelters, sidewalk
10 elevators, mailboxes, handicapped ramps, or other facilities
11 permitted at or near the proposed location.

12 (b) Upon adoption of such rules and regulations by the
13 Director of Public Works, copies of the rules and regulations shall
14 be kept on file at the Department of Public Works and shall be made
15 available to any person upon request.

16 Section 4. Article 19, Chapter X, Part II of the San Francisco
17 Municipal Code (Public Works Code) is hereby amended by amending
18 Sections 952, 953 and 954 to read as follows:

19 SEC. 952. UNLAWFUL WITHOUT PERMITS. It shall be unlawful to
20 install and maintain any public telephone ((booth)) on a public
21 sidewalk in the City and County of San Francisco without first
22 obtaining the permit to do so and paying the fees and deposits
23 required for said permit in accordance with the provisions of this
24 Article.
25

SEC. 953. APPLICATION FOR PERMIT. A separate written

application for a permit is required for the installation and maintenance of a public telephone ((booth)) or group of telephones ((booths)) to be installed on the public sidewalk fronting each lot or property under one ownership. Any subsequent installation of additional telephones ((booth or booths)) fronting the same lot or property shall require a separate application and permit.

Application for permit shall be filed with the Director of Public Works and shall contain the name and residence or business address of the person, firm or corporation making such application, a brief description of the location, the number and type of each public telephone ((booth)) to be installed and maintained, and such other appropriate information as the Director may require. ((It)) Each application shall be accompanied by two copies of a map of the site, drawn to scale and showing the location of the proposed installation, the location of all surface facilities such as poles, hydrants, street lighting electrolliers, vehicular parking or stopping zones, parking meters, underground facilities, building entrances, driveway entrances and the width of the sidewalk. Each application described herein shall also be accompanied by a general deposit in the sum of \$500 for each public telephone included in the application, or in lieu thereof, the application shall be accompanied by a bond executed and filed with the Department of Public Works in a penal sum equal to the amount of \$500 per telephone included in the application. Said bond shall be with a

surety company authorized to do business in the State of California as surety thereon, running in favor of the City and County of San Francisco, conditioned that the applicant shall make all payments required to be made under and pursuant to this Article, and while such general deposit is maintained at the said sum of \$500 per telephone or while no breach of condition of said bond shall occur said applicant shall be required to comply with all of the permitting and other provisions of this Article.

SEC. 954. ((INSPECTION AND DEPOSIT.)) PERMIT AND INSPECTION FEE. All required inspections in connection with public telephones ((booths)) on public sidewalks shall be made by the Department of Public Works at the expense of the permittee ((telephone company)). In addition to maintaining the deposit or bond required by Section 953 of this Article, ((7)) the ((telephone company)) permittee shall ((at all times maintain with)) pay to the Department of Public Works a ((deposit)) fee to be set by the Director of Public Works in an amount reasonably calculated ((sufficient)) to cover the estimated cost of administration and inspection services, including salary and overhead costs incurred by the Department of Public Works in connection with issuance of the public telephone permit((; provided, however, the unused portion of such deposit shall be refunded to the telephone company if such inspection service is no longer required in the opinion of the Director)).

Section 5. Article 19, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) is hereby amended by

1 amending Sections 957, 958, 959 and 960 to read as follows:

2 SEC. 957. ((COMPANY)) PERMITTEE SHALL MAKE PAYMENTS TO THE

3 CITY AND COUNTY OF SAN FRANCISCO. The ((telephone company))

4 permittee shall pay monthly to the City and County of San Francisco

5 in lawful currency of the United States an amount of money equal to

6 the greater of \$50. or ((15)) 20 percent of the total gross receipts

7 generated by the usage ((of the coin box)) of each and every public

8 telephone installed and maintained under the provisions of this

9 Article ((less an amount equal to the federal taxes, if any, on

10 said receipts)). Such payments shall be made monthly by every

11 permittee to the Controller of the City and County of San Francisco

12 together with a full, true and correct statement of all its gross

13 receipts from ((the coin box of)) each and every public telephone

14 for the preceding month. The permittee ((telephone company)) shall

15 file with the Director of Public Works ((semi)) annual reports

16 covering each ((six)) twelve month period, ending June 30 ((and

17 December 31)). Such reports shall be submitted no later than 30

18 calendar days after the end of each period and shall include the

19 total number of public telephone in operations, the ((total)) gross

20 receipts and the total amount paid to the City and County of San

21 Francisco for the last expired period.

22 The ((telephone company)) permittee shall at all times keep

23 and maintain a full, true and correct account of its gross receipts,

24 of every kind and nature, including noncoin receipts and revenues

25 from service enhancements, from ((the coin box of)) each and every

1 public telephone installed and maintained under the provisions of

2 this Article, which said accounts, and all books, records,

3 correspondence and documents of the company in connection therewith

4 shall at all times be open to audit, inspection and examination by

5 the Controller of said City and County of San Francisco.

6 SECTION 958. NONLIABILITY OF SAN FRANCISCO: ((SAVE)) HOLD

7 HARMLESS CLAUSE. The ((telephone company)) permittee shall

8 indemnify, save harmless and defend the City and County of

9 San Francisco, and all of its officers, agents and employees,

10 against any and all claims and liability for injury to or death of

11 any person, or damage to any property arising out of any acts or

12 omissions in connection with the installation or maintenance of any

13 public telephone ((booth)) on the sidewalks of the City and County

14 of San Francisco on the part of the ((company)) permittee, its

15 officers, agents or employees, or any contractor or subcontractor

16 retained by or on behalf of it, or the officers, agents of employees

17 of any of the same. The permittee ((telephone company)) shall

18 further indemnify, save harmless and defend the City and County of

19 San Francisco, and all of its officers, agents and employees against

20 any and all claims and liability arising by reason of any claims or

21 demands of contractors or subcontractors retained by or on behalf of

22 the ((telephone company)) permittee, or by reason of any liens or

23 other claims which may be filed by or on behalf of the same, or by,

24 or on behalf of, any other person regarding the provisions of this

25 Article.

SECTION 959. ((COMPANY)) PERMITTEE SHALL MAINTAIN

1 INSURANCE IN PROTECTION OF SAN FRANCISCO. The ((telephone company))
2 permittee shall, at all times during the existence of any public
3 telephone ((booth)) on the sidewalks of the City and County of
4 San Francisco, maintain in force, furnish to the City and County of
5 San Francisco, and file with the controller thereof, at its own
6 expense, an insurance policy or policies, in protection of the City
7 and County of San Francisco, its boards, commissions, officers,
8 agents and employees, in a company or companies approved by the
9 Controller and in form satisfactory to the City Attorney of the City
10 and County of San Francisco, protecting the City and County of
11 San Francisco and said persons against liability for loss or damages
12 for personal injuries, bodily injuries, death or property damage
13 resulting directly or indirectly from the operations of the
14 ((telephone company)) permittee under this Article, with single
15 liability limit of not less than ((\$3,000,000)) \$500,000 each
16 occurrence applying to personal injuries, bodily injuries, death and
17 property damage or a combination of such injuries.

18 The policy or policies shall be expended to include
19 contractual liability assumed under the provisions of this Article
20 with respect to bodily injuries, personal injuries, death and
21 property damage. Said policy or policies shall apply as primary
22 insurance and shall stipulate that no other insurance affected by
23 the City and County of San Francisco will be called on to contribute
24 to a loss covered hereunder. Said policy or policies shall provide
25

1 30 days notice to Controller, City and County of San Francisco,
2 Room 109, City Hall, if the policy or policies should be canceled or
3 materially changed.

4 In lieu of an insurance policy or policies as specified above,
5 the ((telephone company)) permittee may, subject to written approval
6 of City's Controller, furnish satisfactory evidence of
7 self-insurance and financial responsibility. The permits granted by
8 the Director of Public Works for the installation and maintenance of
9 public telephone ((booths)) shall automatically terminate upon the
10 termination of such insurance.

SECTION 960. RESTORATION OF SIDEWALKS AND STREETS TO A

11 CONDITION SATISFACTORY TO THE DEPARTMENT OF PUBLIC WORKS. In the
12 event that a public telephone ((booth)) is discontinued in use at a
13 particular location or installed without permit, or in the event
14 that a permit is revoked or terminated, the installation or
15 continued maintenance of said telephone shall be deemed unlawful
16 pursuant to Section 952 of this Article, unless the ((telephone
17 company)) permittee or pay phone service provider ((shall)) remove
18 the telephone ((booth)) or telephones ((booths)) and associated
19 wires, ((and)) conduits and structures and restore the area to a
20 condition satisfactory to the Department of Public Works within 10
21 days after receiving written notice from the Director of Public
22 Works of the said unpermitted telephone. If said telephone was
23 installed without a permit and is not removed as required by this
24 Article, the owner of the immediately adjacent property to which the
25

1 Instrument is connected will be provided notice to remove the
2 telephone and restore the area to satisfactory condition subject to
3 the provisions of Public Works Code Section 706, et seq.

4 If said telephone was installed with a permit that has since
5 been terminated or revoked, the permittee shall be provided notice
6 to remove the telephone and shall be responsible on its bond for the
7 cost of the removal of the telephone and the restoration of the area
8 to good condition.

9 Section 6. Article 19, Chapter X, Part II of the San
10 Francisco Municipal Code (Public Works Code) is hereby amended by
11 deleting Section 962 therefrom in its entirety as follows:

12 ((SEC. 962. PUBLIC TELEPHONE BOOTHS IN CITY OWNED AND

13 OPERATED NEIGHBORHOOD OFF-STREET PUBLIC PARKING FACILITIES. The

14 Director of Public Works is hereby authorized and empowered to issue
15 permits, revocable at his will, to the serving telephone company for
16 the installation and maintenance of public pay telephone booths in
17 City owned and operated neighborhood off-street public parking

18 facilities within the City and County of San Francisco subject to
19 the review and recommendations of the San Francisco Parking
20 Authority and the City's Director of Property, and subject to the
21 applicable rules, provisions and procedures set forth in Sections
22 930 to 960, inclusive, of Article 19 of the Public Works Code.

23 For the purpose of carrying out the provisions of this
24 Section, wherever the words "sidewalk", "sidewalks", "public
25 sidewalks", appear in Sections 950 to 960, inclusive, of Article 19

4333w
BOARD OF SUPERVISORS

Page 11 of 12
08/13/92

1 of the Public Works Code, such word or words shall be
2 substituted with the words "City owned and operated neighborhood
3 off-street public parking facilities" as applicable.))

4 Section 7. The Department of Public Works shall provide to
5 the Board of Supervisors a written report on the implementation and
6 enforcement of this ordinance on or before December 1, 1993. The
7 Board shall ^{as a part of its review of the written report,} determine whether it is necessary to continue the percentage method of collecting
8 program-end-make-a-determination-of-the-necessity-for-continuing the
9 program fees as set forth in this ordinance.
10
11

12 APPROVED AS TO FORM:

13 LOUISE H. RENNE
14 City Attorney

15 By 
16 JULIA RYBACK
17 Deputy City Attorney

RUDOLF NOTHENBERG
Chief Administrative Officer

19 JOHN E. CRIBBS
20 Director of Public Works

Deputy Director of
Public Services

21 See file for departmental signatures.

22 4333w

Page 12 of 12
08/13/92

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

§ Finally Passed

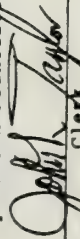
August 31, 1992

§ September 8, 1992

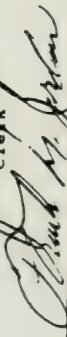
Ayes: Supervisors Achtenberg Alioto
Conroy Hallinan Heileh Maher
ShelleyAyes: Supervisors Achtenberg Alioto
Conroy Gonzalez Hallinan Heileh
Kennedy Maher ShelleyAbsent: Supervisors Britt Gonzalez
Kennedy Migden

Absent: Supervisors Britt Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco



Clerk



Mayor

File No.
123-92-3

SEP 16 1992

Date Approved

(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF ROGER VARELA V. BPS GUARD SERVICES,
INC., ET AL., UPON RECEIPT OF THE SUM OF \$10,000.00 AND DISMISSAL
OF COMPLAINT.

Be it ordained by the People of the City and County of San

Francisco:

Section 1. The City Attorney is hereby authorized and
directed to settle San Francisco Superior Court Action No. 926684
entitled "Roger Varela, Plaintiff, v. BPS Guard Services, Inc., et
al., Defendants" and related actions by acceptance of the sum of
\$10,000.00 from the Defendants, and dismissing complaint.

Section 2. Upon receipt of said sum of \$10,000.00 and
appropriate paperwork the City Attorney is authorized to dismiss
said actions.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

RECOMMENDED:

By Barron L. Weinstein
BARRON L. WEINSTEIN
Chief of Complex Litigation

Claire M. Murphy
CLAIRE MURPHY
General Manager

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

September 8, 1992

Finally Passed

September 14, 1992

Ayes: Supervisors Achtenberg Alloto
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Shelley

Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Hsieh
Kennedy Shelley

Absent: Supervisors Britt Migden

Absent: Supervisors Alloto Maher
Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

File No.
46-92-17

SEP 17 1992

Date Approved

ACTING Clerk

Mayor

DOCUMENTS DEPT.

SEP 24 1992

SAN FRANCISCO
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(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF BARBARA JONES, ET AL., V. DONALD R. COHEN, ET AL., UPON RECEIPT OF THE SUM OF \$1,750.00 AND RELEASE OF LIEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 927124 entitled "Barbara Jones, et al., Plaintiffs, v. Donald R. Cohen, et al., Defendants" by acceptance of the sum of \$1,750.00 from the defendants and releasing lien.

Section 2. Upon receipt of said sum of \$1,750.00 and appropriate paperwork the City Attorney is authorized to release said lien.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Barron L. Weinstein
BARRON L. WEINSTEIN
Chief of Complex Litigation

By Claire Murphy
CLAIRE MURPHY
General Manager

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

September 8, 1992

\$ Finally Passed

\$ September 14, 1992

Ayes: Supervisors Achtenberg Alioto
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Shelley

\$ Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Hsieh
Kennedy Shelley

Absent: Supervisors Britt Migden

\$ Absent: Supervisors Alioto Maher
Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

File No.
46-92-18

SEP 17 1992

Date Approved

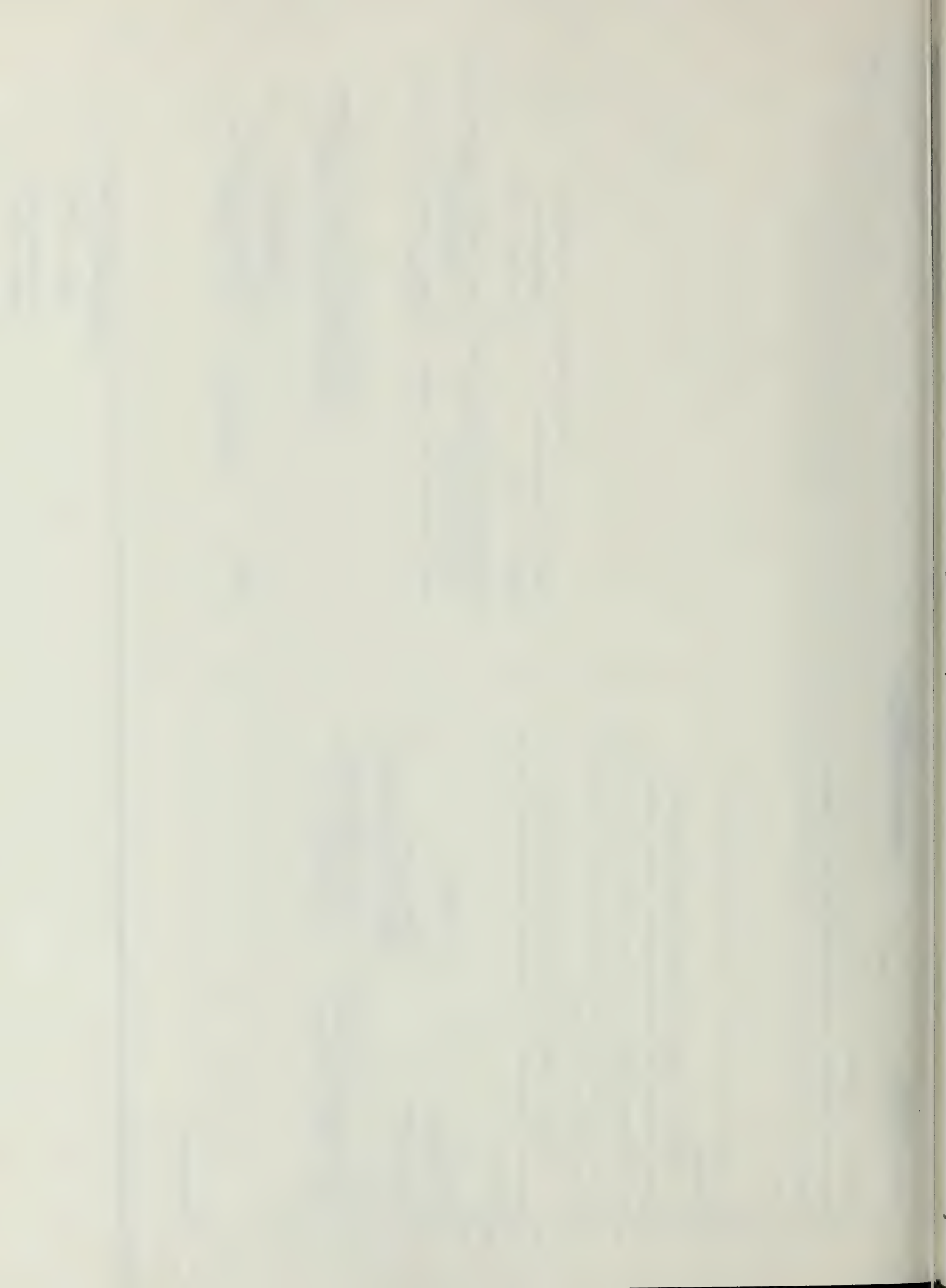
ACTING CLERK

Mayor

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SEP 24 1992

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(TAX RATE SETTING)

PROVIDING REVENUE AND LEVYING TAXES FOR CITY AND COUNTY PURPOSES FOR

THE FISCAL ENDING JUNE 30, 1993.

Be It ordained by the People of the City and County of San Francisco:

Section 1. Under and pursuant to the provisions of the Charter of the City and County of San Francisco and of the laws of the State of California and in conformity therewith a tax is hereby levied for City and County purposes, for the fiscal year ending June 30, 1993 on all property, real and personal, in the City and County of San Francisco, except such property as is by law exempt from taxation, in the sum of one dollar, two and eight hundred fifty eight thousandths, nine hundred seventy millionths cents (\$1.02858970) on each one hundred dollars valuation of said taxable property as the same appears upon the secured assessment roll of the said City and County for said fiscal year, which said sum as aforesaid is hereby apportioned in accordance with the provisions of Section 6.400 of the Charter to the funds and accounts and for the purpose designated as follows:

For the General Fund to meet the expense of the City and County of San Francisco not subject to said limitations of Section 6.400 of the

BOARD OF SUPERVISORS

Charter, including the cost of elections, the construction, maintaining and improving of streets, sewers and buildings, parks, squares, playgrounds and libraries, obligations imposed by the State Legislative or Constitutional enactment, and obligations imposed by the vote of the People of the City and County of San Francisco,

the rate of \$.86168319

For the San Francisco Children's Fund,
the rate of .01250000

For the open Space Acquisition Fund,
the rate of .02500000

For the County Superintendent of Schools,
the rate of .00097335

For the Bond Interest and Redemption Fund,
the rate of .12002249

TOTAL \$1.02817903

Bay Area Air Quality Management District,
the rate of .00208539

Bay Area Rapid Transit District,
the rate of .00432528

Total Tax Rate for City and County of San Francisco \$1.02859970

PREPARED BY:

Charles H. Krum
Controller

APPROVED AS TO FORM:
LOUISE H. RENNE-CITY ATTORNEY

BY:

Frederic R. Juley

Total

BOARD OF SUPERVISORS

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SEP 24 1992

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Board of Supervisors, San Francisco

Passed for Second Reading

September 8, 1992

Finally Passed

September 14, 1992

Ayes: Supervisors Achtenberg Alloto
 Conroy Gonzalez Hallinan Hsieh
 Kennedy Maher Shelley
 Absent: Supervisors Blitt Midgett
 Absent: Supervisors Blitt Midgett

I hereby certify that the foregoing ordinance
 was finally passed by the Board of Supervisors
 of the City and County of San Francisco

ACTING CLERK

SEP 17 1992
 Date Approved

Mayor

File No.
 76-92-1

RO #92046

(TAX RATE SETTING)

PROVIDING REVENUE AND LEVYING TAXES FOR SAN FRANCISCO UNIFIED SCHOOL DISTRICT PURPOSES FOR THE FISCAL YEAR ENDING JUNE 30, 1993.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Under and pursuant to the laws of the State of California and in conformity therewith a tax is hereby levied for San Francisco Unified School District purposes, for the fiscal

year ending June 30, 1993, on all property, real and personal,

in the City and County of San Francisco, except such property

as is by law exempt from taxation, in the sum of eight and one hundred sixteen thousandths, six hundred eight millionths

(\$0.08116608) cents on each one hundred dollars valuation of

said taxable property as the same appears upon the secured assessment roll of the said City and County for said fiscal

year, which said sum is hereby apportioned as follows:

For general purposes, the rate of \$.07698857

For debt service under the Field Act, the rate of .00417751

TOTAL .08116608

PREPARED BY:

Edward M. Hart
CONTROLLER

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

BY:

Frederic R. Jolley
DEPUTY CITY ATTORNEY

LEVY:

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed

September 8, 1992 \$ September 14, 1992

Ayes: Supervisors Achtenberg Alioto
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Shelley

\$ Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Hsieh
Kennedy Shelley

Absent: Supervisors Britt Migden

\$ Absent: Supervisors Alioto Maher
Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

File No.
74-92-2

SEP 17 1992

Date Approved

ACTING CLERK

Janet G. Smith
Mayor

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SEP 24 1992

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SEP 24 1992

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(TAX RATE SETTING)

PROVIDING REVENUE AND LEVYING TAXES FOR SAN FRANCISCO COMMUNITY
COLLEGE DISTRICT PURPOSES FOR THE FISCAL YEAR ENDING JUNE 30, 1993.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Under and pursuant to the laws of the State of California and in conformity therewith a tax is hereby levied for San Francisco Community College District purposes, for the fiscal year ending June 30, 1993, on all property, real and personal, in the City and County of San Francisco, except such property as is by law exempt from taxation, in the sum of one and four hundred forty four thousandths, four hundred twenty two millionths (\$0.0144422) cents on each one hundred dollars valuation of sold taxable property as the same appears on the secured assessment roll of the said City and County for said fiscal year.

PREPARED BY:

Edward R. Kelly
CONTROLLER

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

BY: *Theresa R. Kelly*
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

September 8, 1992

§ Finally Passed

§ September 14, 1992

Ayes: Supervisors Achtenberg Alloto
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Shelley

§ Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Hsieh
Kennedy Shelley

Absent: Supervisors Britt Migden

§ Absent: Supervisors Alloto Maher
Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Joan S. Green
ACTING CLERK

File No.
74-92-3

SEP 17 1992

Date Approved

Frank M. Jordan
Mayor

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SEP 24 1992

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(Telecommunications Facilities)

1 AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING CHAPTER
 2 22B THERETO, TO ASSIGN RESPONSIBILITY TO THE GENERAL MANAGER OF THE
 3 DEPARTMENT OF ELECTRICITY FOR PLANNING, DESIGNING, MAINTAINING AND
 4 COORDINATING AN IMPROVED TELECOMMUNICATIONS PROGRAM FOR
 5 DEPARTMENTS, BOARDS AND COMMISSIONS OF THE CITY AND COUNTY;
 6 GENERAL MANAGER TO PROVIDE DETAILED ACTION PLAN TO BOARD OF
 7 SUPERVISORS.

8 Note: This entire chapter is new.

9 Be it ordained by the City and County of San Francisco:

10 Section 1. The San Francisco Administrative Code is hereby amended by adding

11 Chapter 22B thereto, to read as follows:

12 CHAPTER 22B
 13 TELECOMMUNICATIONS FACILITIES

14 SEC. 22B.1 PURPOSE OF CHAPTER. It is hereby declared that the purpose of
 15 this chapter is to improve and coordinate the use and procurement of equipment,
 16 facilities, and services owned and operated, or subscribed to by the City and County or
 17 any department thereof: (i) for voice communication systems; (ii) for the transmission,
 18 communication, and transport links up to the demarcation point between and among
 19 systems for voice, messaging, data information, alarm, public safety, wireless, cellular,
 20 video, Mayor's Emergency Telephone System; and (iii) for support activities as required
 21 for these systems such as billing services and financial analysis, hereinafter referred to
 22 collectively as telecommunications. In order to eliminate duplications and
 23 inefficiencies, to bring about economies which could not otherwise be obtained, and to
 24 provide a service whereby a well-planned program of telecommunications may be
 25 provided to City and County departments, boards, and commissions and maintained in

BOARD OF SUPERVISORS

Supervisor Gonzalez

Page 1 of 4

1 the most economical manner.

2 Telecommunications, as defined in this Section, does not include equipment,
 3 facilities and services that relate directly to data processing equipment or services
 4 which are directly managed by various Departmental Divisions for Management
 5 Information System (MIS), including but not limited to, the Controller's Information
 6 Services Division (ISD), Airport's MIS Division, Public Utilities Commission's Bureau of
 7 MIS and Department of Public Health MIS.

8 SEC. 22B.2. DUTIES OF GENERAL MANAGER OF DEPARTMENT OF
 9 ELECTRICITY RELATIVE TO CHAPTER. As a means of carrying out the policy defined
 10 in the preceding section, the General Manager of the Department of Electricity,
 11 hereinafter referred to as "General Manager," shall have the responsibility and authority
 12 to perform the following duties:

- 13 (a) General Manager shall have charge of the planning, design, coordination,
 14 installation, repair, maintenance, inspection of all telecommunications
 15 equipment, facilities and services owned, operated, or subscribed to, by the
 16 City and County or any department, board, commission, or agency thereof,
 17 pursuant to the budgetary provisions of the Charter. The General Manager
 18 will obtain concurrence of the appropriate MIS department when data
 19 facilities or services are involved.
- 20 (b) General Manager shall make recommendations for proposed
 21 telecommunications systems and services to the Electronic Information
 22 Processing Steering Committee (EIPSC) to meet its stated functional
 23 requirements for any City and County department, board or commission.
- 24 (c) General Manager shall function as technical advisor to all departments to the
 25 end that the operation and use of existing or proposed telecommunications

BOARD OF SUPERVISORS

Supervisor Gonzalez

Page 2 of 4

DOCUMENTS

SEP 24 1992

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- 1 equipment, facilities, and services used by the various departments, boards,
2 and commissions of the City and County shall be coordinated.
3
4 (d) General Manager shall make certain that all City and County
5 telecommunications equipment, facilities, and services are installed,
6 maintained and operated in compliance with state, federal and local laws,
7 rules and regulations pertaining thereto.
8
9 (e) General Manager shall prescribe and promulgate such rules and regulations
10 affecting telecommunications technical standards and operational procedures
11 and conduct reasonably necessary to bring about conformity with Department
12 of Electricity and ELPSC requirements for telecommunications and such rules
13 and regulations shall be complied with by all departments, boards and
14 commissions.
15
16 (f) General Manager shall provide adequate representation for the City and
17 County of San Francisco before any regulatory body having jurisdiction over
18 matters affecting the use of telecommunications by any City and County
19 department, board, and commission. General Manager may delegate this
20 responsibility, with the approval of the Chief Administrative Officer.
21
22 (g) General Manager shall advise and consult with the State Communications
23 Advisory Board, making available to the various City and County
24 departments, boards and commissions the services rendered by such board.
25
26 (h) Upon request of the Purchaser of Supplies, General Manager shall assist and
27 advise the Purchaser with respect to the Purchaser's endeavors to standardize
28 materials, supplies, facilities, services and equipment to be used for
29 telecommunications.
30
31 (i) The General Manager of Department of Electricity with the consent of any

BOARD OF SUPERVISORS

Supervisor Gonzalez

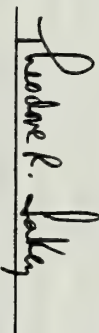
Page 3 of 4

1 City and County department, board, or commission may delegate any of the
2 above responsibilities at his/her discretion, except as provided in paragraph (f)
3 of this section.
4
5 SEC. 22B.3. IMPLEMENTATION REPORT. The General Manager of the
6 Department of Telecommunications shall provide the Board of Supervisors with a
7 detailed action plan for implement the telecommunications program.
8

9 APPROVED AS TO FORM:

10 LOUISE H. RENNE
11 City Attorney
12

13 By:

14 
15
16
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20
21
22
23
24
25

BOARD OF SUPERVISORS

Supervisor Gonzalez

Page 4 of 4

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
September 8, 1992	§	September 14, 1992
	§	
Ayes: Supervisors Achtenberg Alloto	§	Ayes: Supervisors Britt Conroy
Britt Conroy Gonzalez Hallinan	§	Gonzalez Hallinan Heileh Kennedy
Heileh Kennedy Maher Shelley	§	Shelley
Absent: Supervisor Migden	§	Absent: Supervisors Achtenberg
	§	Alloto Maher Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Janet Hunt
 ACTING CLERK
Frank P. Jordan
 Mayor

File No.
 97-92-35

SEP 17 1992
 Date Approved

(GOVERNMENT FUNDING)

AMENDING THE ANNUAL APPROPRIATION ORDINANCE FOR FISCAL YEAR 1992-93,
FILE NUMBER 101-92-2, ORDINANCE NUMBER 249-92, GIVING EFFECT TO REVENUE
CHANGES PURSUANT TO CHARTER SECTION 6.208 AND ADJUSTING
APPROPRIATIONS TO MEET THE REQUIREMENTS OF THE ART COMMISSION AND THE
AIRPORT PURSUANT TO CHARTER SECTION 6.400, AS A PRE-REQUISITE TO LEVY A
TAX PURSUANT TO CHARTER SECTION 6.208.

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO:

Section 1. The Annual Appropriation Ordinance for Fiscal Year 1992-93, File Number 101-92-2, Ordinance No. 249-92, is hereby amended by the following increases and decreases in revenue and expenditure accounts as indicated (in revenue appropriation and Year End Surplus accounts increases are shown as debits while decreases are shown as credits; in expenditure appropriations, reserves and addition to surplus accounts increases are shown as credits while decreases are shown as debits):

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT	
		DEBIT	CREDIT
	<u>General Fund</u>		
	<u>Revenue Appropriation</u>		
GL 904 (000026)	Reserves - Expenditure		
Subd. (000022)	Reserve for Salary Standardization	1,174,532	
GL 906 (000026)	Unappropriated Revenue Reserved		
Subsidiary (00006)	General Reserve		\$1,151,042

BOARD OF SUPERVISORS

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT	
		DEBIT	CREDIT
	<u>Expenditure Appropriation</u>		
28-00-00	<u>Art Commission</u>		
2010 (330217)	Program Project Budget		
Project #00401	Municipal Symphony Concerts		\$ 23,492
Total		<u>\$1,174,534</u>	<u>\$1,174,534</u>
	<u>Animal Control Fund</u>		
02-002	<u>Revenue Appropriation</u>		
G.L. 903 (045526)	Addition To Surplus		\$100,000
G.L. 906 (045526)	Year End Surplus	<u>\$100,000</u>	
TOTAL		<u>\$100,000</u>	<u>\$ 100,000</u>
	<u>Cable TV Access Development</u>		
02-006	<u>and Program Fund</u>		
	<u>Revenue Appropriation</u>		
GL 903 (007658)	Addition to Surplus		\$90,000
GL 906 (007658)	Year End Surplus	<u>\$90,000</u>	
Total		<u>\$90,000</u>	<u>\$90,000</u>
	<u>Courthouse Fund</u>		
02-010	<u>Revenue Appropriation</u>		
GL 903 (004846)	Addition to Surplus		\$6,660,000
GL 906 (004846)	Year End Surplus	<u>\$6,660,000</u>	
Total		<u>\$6,660,000</u>	<u>\$6,660,000</u>

BOARD OF SUPERVISORS

DOCUMENTS DEPT.

SEP 24 1992

SAN FRANCISCO
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DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT	
		DEBIT	CREDIT
1 02-012	Rent Arbitration Fund Revenue Appropriation		
3 GL 903 (008854)	Addition to Surplus		\$370,000
4 GL 906 (008854)	Year End Surplus	\$370,000	
5	Total	\$370,000	\$370,000
6			
7 02-062	Emergency Medical Services Fund Revenue Appropriation		
9 GL 903 (022525)	Addition to Surplus		\$345,000
10 GL 906 (022525)	Year End Surplus	\$345,000	
11	Total	\$345,000	\$345,000
12			
13			
14 02-065	Vital Statistics Fund Revenue Appropriation		
15 GL 903 (022533)	Addition to Surplus		\$25,000
16 GL 906 (022533)	Year End Surplus	\$25,000	
17	Total	\$25,000	\$25,000
18			
19			
20 02-071	Off Street Parking Fund Revenue Appropriation		
21 GL 903 (003327)	Addition to Surplus		\$2,474,000
22 GL 906 (003327)	Year End Surplus	\$2,474,000	
23	Total	\$2,474,000	\$2,474,000
24			
25			

BOARD OF SUPERVISORS

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT	
		DEBIT	CREDIT
1 02-091	Special Gas Tax and Street Improvement Fund Revenue Appropriation		
3 G.L. 903 (002063)	Addition to Surplus		\$575,000
4 G.L. 906 (002063)	Year End Surplus	\$575,000	
5	Total	\$575,000	\$575,000
6			
7 02-093	Building Inspection Fund Revenue Appropriation		
8 GL 903 (008037)	Addition to Surplus		\$1,912,000
9 GL 906 (008037)	Year End Surplus	\$1,912,000	
10	Total	\$1,912,000	\$1,912,000
11			
12			
13 02-183	Representative Payee Program Fund Revenue Appropriation		
14 GL 903 (007765)	Addition to Surplus		\$70,000
15 GL 906 (007765)	Year End Surplus	\$70,000	
16	Total	\$70,000	\$70,000
17			
18			
19 02-221	Open Space & Park Renovation Fund Revenue Appropriation		
20 GL 903 (002188)	Addition to Surplus		\$1,800,000
21 GL 906 (002188)	Year End Surplus	\$1,800,000	
22	Total	\$1,800,000	\$1,800,000
23			
24			
25			

BOARD OF SUPERVISORS

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT	
		DEBIT	CREDIT
02-224	<u>Marina Yacht Harbor Fund</u>		
	<u>Revenue Appropriation</u>		
GL 903 (002212)	Addition to Surplus	\$2,000	
GL 906 (002221)	Year End Surplus	<u>\$2,000</u>	
	Total	<u>\$2,000</u>	<u>\$2,000</u>
02-229	<u>Special Recreation and Park Revenue Fund</u>		
	<u>Revenue Appropriation</u>		
GL 903 (004077)	Addition to Surplus	\$945,000	
GL 906 (004077)	Year End Surplus	<u>\$945,000</u>	
	Total	<u>\$945,000</u>	<u>\$945,000</u>
02-301	<u>Yerba Buena Center Fund</u>		
	<u>Revenue Appropriation</u>		
GL 903 (002296)	Addition to Surplus	\$1,045,000	
GL 906 (002296)	Year End Surplus	<u>\$1,045,000</u>	
	Total	<u>\$1,045,000</u>	<u>\$1,045,000</u>
02-303	<u>War Memorial Special Fund</u>		
	<u>Revenue Appropriation</u>		
GL 903 (002519)	Addition to Surplus	\$938,000	
GL 906 (002519)	Year End Surplus	<u>\$938,000</u>	
	Total	<u>\$938,000</u>	<u>\$938,000</u>

BOARD OF SUPERVISORS

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT	
		DEBIT	CREDIT
02-403	<u>Admission Fund</u>		
	<u>Revenue Appropriation</u>		
GL 903 (002469)	Addition to Surplus	\$15,000	
GL 906 (002469)	Year End Surplus	<u>\$15,000</u>	
	Total	<u>\$15,000</u>	<u>\$15,000</u>
02-413	<u>Market Street Art Maintenance Fund</u>		
	<u>Revenue Appropriation</u>		
GL 903 (013169)	Addition to Surplus	\$71,000	
GL 906 (013169)	Year End Surplus	<u>\$71,000</u>	
	Total	<u>\$71,000</u>	<u>\$71,000</u>
02-415	<u>Youth Arts Fund</u>		
	<u>Revenue Appropriation</u>		
GL 903 (013144)	Addition to Surplus	\$39,000	
GL 906 (013144)	Year End Surplus	<u>\$39,000</u>	
	Total	<u>\$39,000</u>	<u>\$39,000</u>
02-416	<u>Neighborhood Beautification Fund</u>		
	<u>Revenue Appropriation</u>		
GL 903 (014050)	Addition to Surplus	\$91,000	
GL 906 (014050)	Year End Surplus	<u>\$91,000</u>	
	Total	<u>\$91,000</u>	<u>\$91,000</u>

BOARD OF SUPERVISORS

	DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	DEBIT	AMOUNT CREDIT
1	02-463	EMS Fund		
2		Revenue Appropriation		
3	GL 903 (022608)	Addition to Surplus		\$132,500
4	GL 906 (022608)	Year End Surplus	\$132,500	
5		Total	\$132,500	\$132,500
6				
7	02-465	Sheriff's Special Maintenance Fund		
8		Revenue Appropriation		
9	GL 903 (002774)	Addition to Surplus		\$47,000
10	GL 906 (002774)	Year End Surplus	\$47,000	
11		Total	\$47,000	\$47,000
12				
13				
14	02-502	County Automated Warrant System Fund		
15		Revenue Appropriation		
16	GL 903 (007955)	Addition to Surplus		\$47,000
17	GL 906 (007955)	Year End Surplus	\$47,000	
18		Total	\$47,000	\$47,000
19				
20	02-503	State Authorized Special Fund		
21		Revenue Appropriation		
22	GL 903 (022616)	Addition to Surplus		\$433,000
23	GL 906 (022616)	Year End Surplus	\$433,000	
24		Total	\$433,000	\$433,000
25				

BOARD OF SUPERVISORS

	DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	DEBIT	AMOUNT CREDIT
1	07-001	Bond Interest & Redemption Fund		
2		Revenue Appropriation		
3	GL 903 (021063)	Addition to Surplus		\$217,000
4	GL 906 (021063)	Year End Surplus	\$217,000	
5		Total	\$217,000	\$217,000
6				
7	21-902	Annually Budgeted Gift Fund		
8		Revenue Appropriation		
9	GL 903 (022517)	Addition to Surplus		\$1,865,000
10	GL 906 (022517)	Year End Surplus	\$1,865,000	
11		Total	\$1,865,000	\$1,865,000
12				
13	24-061	Employees Retirement Trust Fund		
14		Revenue Appropriation		
15	GL 903 (030346)	Addition to Surplus		\$11,780,000
16	GL 906 (030346)	Year End Surplus	\$11,780,000	
17		Total	\$11,780,000	\$11,780,000
18				
19	30-001	Airport Operating Fund		
20		Revenue Appropriation		
21	27-00-00	Revenue Appropriation		
22	90-9015 (044149)	Authorized Air Carriers		\$6,500,000
23	GL 903 (022012)	Addition to Surplus		\$746,000
24	GL 906 (022012)	Year End Surplus	\$81,350,000	
25		Total	\$81,350,000	\$81,350,000

BOARD OF SUPERVISORS

DEPARTMENT AND NUMBER	SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION	AMOUNT DEBIT	CREDIT
34-001	S. F. Harbor Operating Fund Revenue Appropriation		
GL 903 (026013)	Addition to Surplus		\$11,400,000
GL 906 (026013)	Year End Surplus	\$11,400,000	
	Total	\$11,400,000	\$11,400,000
35-001	Clean Water Operating Fund Revenue Appropriation		
GL 903 (027565)	Addition to Surplus		\$17,900,000
GL 906 (027565)	Year End Surplus	\$17,900,000	
	Total	\$17,900,000	\$17,900,000

Approved As To Form:
Louise H. Renne, City Attorney

Controller

By: Frederic P. Sakay
Deputy City Attorney

By: Edward Harrington
Edward Harrington

Board of Supervisors, San Francisco

Passed for Second Reading
September 8, 1992

Finally Passed
September 14, 1992

Ayes: Supervisors Achtenberg Alloto
Conroy Gonzalez Hallinan Heileh
Kennedy Maher Shelley

Absent: Supervisors Britt Migden

Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Heileh
Kennedy Shelley

Absent: Supervisors Alloto Maher
Migden

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

Janet Green
ACTING Clerk

Frank M. Kelly
Mayor

File No.
101-92-2.2

SEP 17 1992
Date Approved

(YERBA BUENA)

1 (Vacation of subsurface street areas)
 2 ORDERING VACATION OF CERTAIN SUBSURFACE STREET AREAS IN THE YERBA
 3 BUENA CENTER REDEVELOPMENT PROJECT AREA IN THAT PORTION BOUNDED BY
 4 MISSION, HOWARD, FOURTH AND THIRD STREETS, RESCINDING PREVIOUS
 5 STREET VACATION ORDINANCE IN ORDER TO CORRECT AN ERROR IN THE
 6 DESCRIPTION OF THE AREAS TO BE VACATED AND TO CLARIFY THE INTENTION
 7 OF THE BOARD OF SUPERVISORS THAT NO EASEMENTS FOR THE FACILITIES OF
 8 UTILITIES IN THE VACATED AREAS SHALL BE RESERVED, AND FINDING THAT
 9 THE VACATION IS CONSISTENT WITH THE EIGHT PRIORITY POLICIES OF CITY
 10 PLANNING CODE SECTION 101.1.
 11
 12

13 Be it ordained by the people of the City and County of San Francisco:

14 Section 1. On August 3⁹², 1992, the Board of Supervisors
 15 adopted Resolution No. 683-90, approved by the Mayor on August 7
 16 , 1992, being a Resolution of a Declaration of Intention to order
 17 the vacation of certain subsurface street areas in the Yerba Buena
 18 Central Blocks Redevelopment Project area bounded by Mission,
 19 Howard, Fourth and Third Streets, as shown on Department of Public
 20 Works Plan SUR-1190, comprised of four sheets, copies of which are
 21 on file in the office of the Clerk of the Board of Supervisors.

22 Section 2. The Clerk of the Board of Supervisors did transmit
 23 to the Department of Public Works a certified copy of said
 24 Resolution, and the Director of said Department did cause to be
 25 posted in the manner and as required by law, notice of the passage

BOARD OF SUPERVISORS

PAGE 1 of 4

of said Resolution.

2 Section 3. When said matter was considered as scheduled by
 3 the Board of Supervisors at its regular meeting held in the City
 4 Hall, San Francisco, on Sept. 8, 1992, beginning at 3:00 P.M., said
 5 Board heard all persons interested in said vacations.

6 Section 4. The public interest and convenience, and the
 7 City's long range plan for the redevelopment of this area, require
 8 the vacations to be done as declared in said Resolution No. 683-90.
 9

10 Section 5. The Department of City Planning reported on
 11 February 16, 1988 that said vacations are in conformity with the
 12 Master Plan. The Board hereby affirms and incorporates herein by
 13 reference as if fully set forth herein Board Resolution 214-88
 14 certifying that the Board has reviewed and considered the final
 15 environmental impact reports on the Yerba Buena Center Project Area,
 16 finding that the EIR's are adequate for purposes of review of the
 17 Moscone Convention Center Expansion Project, approving mitigation
 18 measures, determining to proceed with the Project based on
 19 implementation of the mitigation measures and overriding
 20 considerations, and finding that the Project is consistent with the
 21 eight priority policies of City Planning Code Section 101.1.

22 Section 6. The Board of Supervisors has acquired jurisdiction
 23 to order said vacations for the stated purpose of the expansion of
 24 the Moscone Convention Center by said Agency.

25 Section 7. The following portions of subsurface street areas,
 all as are shown and specified on said Department of Public Works

BOARD OF SUPERVISORS

PAGE 2 of 4

DOCUMENTS DEPT.

SEP 24 1992

SAN FRANCISCO
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1 Plan SUR-1190, comprised of four sheets, are no longer necessary for
2 present or prospective public streets and other intended uses, and
3 are hereby ordered vacated:

4 Subsurface street areas of portions of: Mission
5 Street, northwesterly of Third Street; Third
6 Street, between Howard and Mission Streets; Howard
7 Street, between Third and Fourth Streets; and
8 Fourth Street, at its intersection with Howard
9 Street.

10 Section 8. The public convenience and necessity require that
11 Pacific Bell and Pacific Gas and Electric relocate their facilities
12 in the vacated areas to other subsurface portions of the streets not
13 vacated consistent with their rights and obligations under the
14 franchises granted to them by the City, and no easements or rights
15 shall be reserved to them in the vacated areas.

16 Section 9. The Clerk of the Board of Supervisors is hereby
17 directed to transmit to the Recorder and the Director of Public
18 Works a certified copy of this Ordinance, and the Recorder and the
19 Director of Public Works are hereby directed to proceed thereafter
20 as required by law.

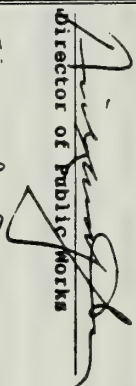
21 Section 10. Ordinance No. 137-88 adopted March 14, 1988 is
22 hereby rescinded and vacated.
23
24
25

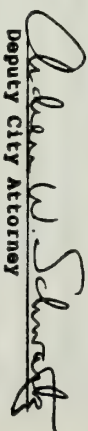
BOARD OF SUPERVISORS

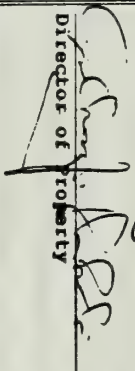
PAGE 3 of 4

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RECOMMENDED:


Director of Public Works

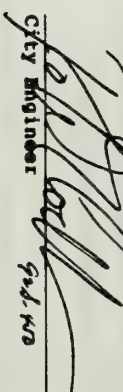

Deputy City Attorney


Director of Property

APPROVED

DESCRIPTION APPROVED:

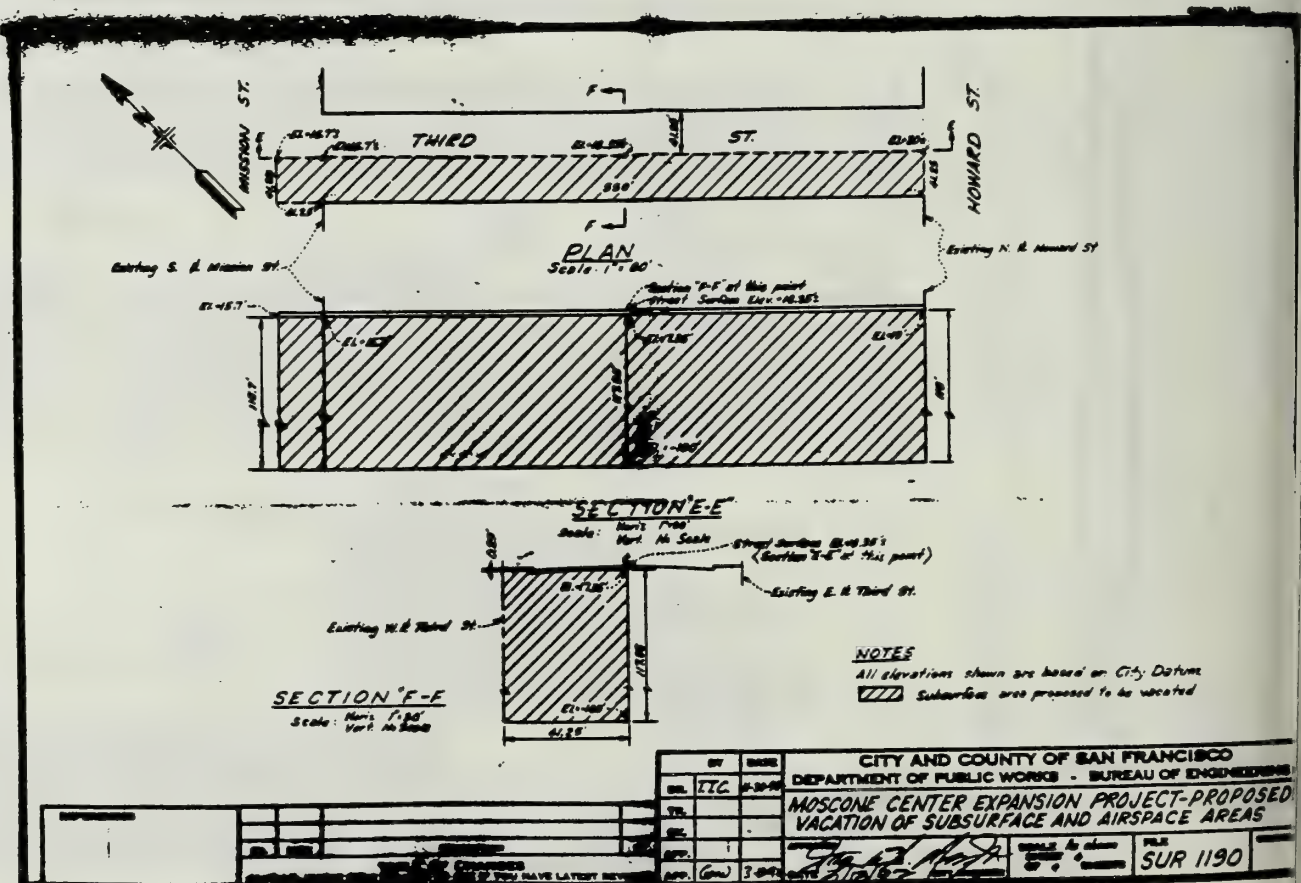
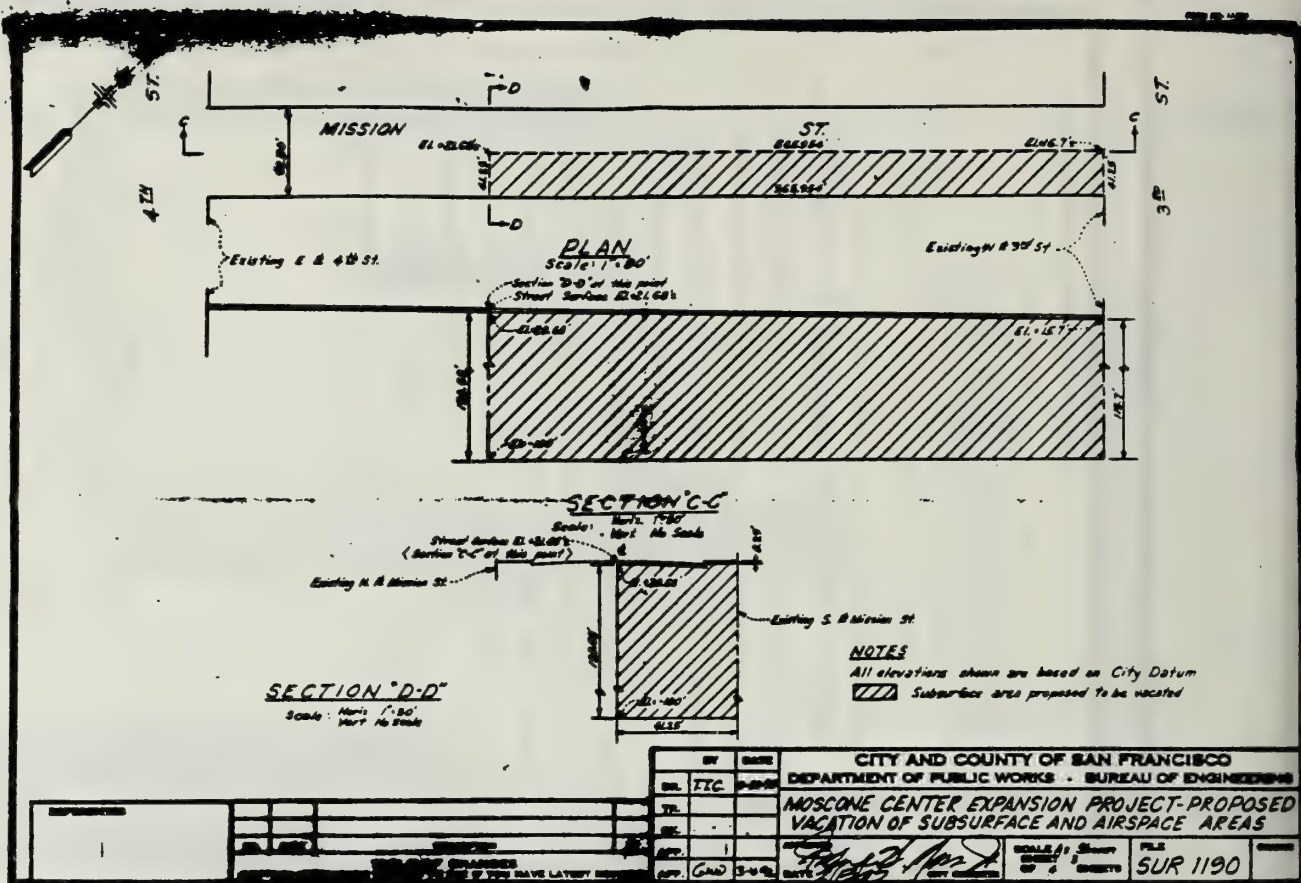

Chief Administrative Officer


City Engineer

87423/5-8
BOARD OF SUPERVISORS

PAGE 4 of 4





Board of Supervisors, San Francisco

Passed for Second Reading	\$	Finally Passed
September 8, 1992	\$	September 14, 1992
Ayes: Supervisors Achtenberg Alloto	\$	
Britt Conroy Gonzalez Hallinan	\$	
Heieh Kennedy Maher Shelley	\$	
Absent: Supervisor Migden	\$	
	\$	Ayes: Supervisors Britt Conroy
	\$	Gonzalez Hallinan Heieh Kennedy
	\$	Maher Shelley
	\$	Absent: Supervisors Achtenberg
	\$	Alloto Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Jan' Migden
 ACTING Clerk
Frank P. Gordon
 Mayor

File No. 164-92-1.1
 SEP 17, 1992
 Date Approved

1 [Street Vacation - Conveyance]

2 ORDERING VACATION OF A PORTION OF KEITH STREET LOCATED BETWEEN
3 NEWCOMB AND LA SALLE AVENUES, AND AUTHORIZING CONVEYANCE THEREOF
4 TO THE OWNER OF THE ABUTTING PROPERTY SAN FRANCISCO REDEVELOPMENT
5 AGENCY); AND FINDING SUCH ACTIONS ARE IN CONFORMITY WITH THE MASTER
6 PLAN.
7

8
9 Be It Ordained by the People of the City and County of San Francisco:

10 Section 1. On August 3, 1992, the Board of Supervisors adopted Resolution No.
11 684-92, approved by the Mayor on August 7, 1992, being a Resolution of Intention
12 to Vacate a portion of Keith Street located between Newcomb and La Salle Avenues, as shown on
13 Department of Public Works Drawing No. SUR-792, a copy of which is on file in the office of the
14 Clerk of the Board of Supervisors.

15
16 Section 2. The Clerk of the Board of Supervisors did publish a notice of the hearing on the
17 Resolution of Intention as required by law and did transmit to the Department of Public Works a
18 certified copy of said Resolution, and the Director of Public Works did cause to be posted Notices
19 of Vacation as required by law.
20

21 Section 3. When said matter was considered as scheduled by the Board of Supervisors at its
22 regular meeting held in the City Hall, San Francisco, California, on September 8, 1992,
23

24 (Real Estate)
25
26
27
28

1 beginning at 3:00 p.m., said Board heard all persons interested in said vacation.

2
3 Section 4. From all the evidence submitted at the hearing on the Resolution of Intention, the
4 Board of Supervisors finds that the street described in the said Resolution is unnecessary for present
5 or prospective public use and that the public convenience and necessity require that no easements be
6 reserved for public utility facilities, if any, that are in-place in said street and that any rights based
7 upon any such public utility facilities are extinguished.
8

9 Section 5. The Department of City Planning reported on May 26, 1992, that the proposed
10 street vacation and conveyance to the San Francisco Redevelopment Agency are consistent with the
11 City's Master Plan.

12 Section 6. The San Francisco Board of Supervisors hereby finds that the proposed vacation
13 and conveyance, of said street area are in conformity with the Master Plan as set forth in letter dated
14 May 26, 1992 from Department of City Planning to the Department of Public Works, a copy of
15 which report is on file with the Clerk of the Board of Supervisors.
16

17 Section 7. The Board of Supervisors has acquired jurisdiction to order said vacation, subject
18 to the conditions as set forth in the Resolution of Intention to vacate, and to authorize conveyance
19 of the vacated portion of the street to the San Francisco Redevelopment Agency.

20 Section 8. The said portion of Keith Street is hereby ordered vacated and will be conveyed
21 to the Redevelopment Agency at no cost.
22

23 Section 9. The Mayor and the Clerk of the Board of Supervisors, on behalf of the City and
24

25 (Real Estate)

- 2 -

BOARD OF SUPERVISORS

DOCUMENTS DEPT.

SEP 24 1992

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County of San Francisco, are hereby authorized and directed to execute a Quitclaim Deed to the San Francisco Redevelopment Agency, and the Director of Property is authorized to deliver a deed conveying said property.

Section 10. The Clerk of the Board of Supervisors is hereby directed to transmit to the County Recorder and the Director of Public Works a certified copy of this Ordinance, and the Recorder and the Director of Public Works are hereby directed to proceed thereafter as required by law.

RECOMMENDED:

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

Director of Public Works

By Joe Gutz
Deputy City Attorney

Director of Property

Description Approved:

Chief Administrative Officer

City Engineer

JPLB
C:\WP51\DATA\KAM\10.1.BRO

(Real Estate)

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading
September 8, 1992

Ayes: Supervisors Achtemberg Alloto
Conroy Gonzalez Hallinan Helen
Kennedy Maher Shelley
Absent: Supervisors Britt Migden

Finally Passed
September 14, 1992

Ayes: Supervisors Britt Conroy
Gonzalez Hallinan Helen Kennedy
Maher Shelley
Absent: Supervisors Achtemberg
Alloto Migden

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

David M. Gordon
ACTING CLERK

File No. SEP 17 1992
164-92-2.1 Date Approved
David M. Gordon
Mayor

1 (St. Mary's Square Garage)
 2 AUTHORIZING THE SAN FRANCISCO PARKING AUTHORITY TO AWARD AN
 3 INTERIM, TEMPORARY OPERATING AGREEMENT FOR OPERATION OF THE ST.
 4 MARY'S SQUARE GARAGE UNTIL SUCH TIME AS A PUBLIC BIDDING
 5 PROCEDURE FOR THE LONG-TERM OPERATION OF SUCH GARAGE IS
 6 COMPLETED, AN EMERGENCY MEASURE.

7
 8 Be it ordained by the People of the City and County of San
 9 Francisco:

10 Section 1. The Parking and Traffic Commission of the City
 11 and County of San Francisco, sitting as the San Francisco Parking
 12 Authority, has adopted its Resolution No. 92-1189 (a copy of
 13 which is on file with the Clerk of the Board of Supervisors in
 14 File No. 47-92-6) requesting that the Board of Supervisors
 15 adopt this emergency ordinance for the purposes discussed below.

16 Section 2. For the reasons outlined in the Parking and
 17 Traffic Commission's resolution referred to above, and due to the
 18 Parking Authority's determination that the current operator of
 19 the St. Mary's Square Garage is unable to continue to operate the
 20 garage in a financially responsible manner, this Board has
 21 determined that an emergency exists under the meaning of
 22 Section 2.301 of the San Francisco Charter necessitating this
 23 emergency ordinance.

24 Section 3. The Parking Authority is hereby authorized and
 25 directed to make an award of a month-to-month operating agreement

004H
 PARKING AUTHORITY

Page 1 of 2
 09/16/92

1 for the operation of the St. Mary's Square Garage for a limited
 2 period until the public bidding procedure for the award of a
 3 five-year operating agreement for such garage is completed, which
 4 award shall be made to the next highest, responsible and
 5 available bidder under the bidding procedure conducted in 1985
 6 for the agreement under which the garage is currently being
 7 operated.

8
 9 APPROVED AS TO FORM:

10 LOUISE H. RENNE
 11 City Attorney

12 By:

Lawrence A. Wayte
 LAWRENCE A. WAYTE
 Deputy City Attorney

004H
 PARKING AUTHORITY
 BOARD OF SUPERVISORS

Page 2 of 2
 09/16/92

DOCUMENTS DEPT.

SEP 29 1992

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Passed as an Emergency Measure
Board of Supervisors, San Francisco

September 21, 1992

Ayes: Supervisors Achtzenberg Alioto Britt Conroy Gonzalez Hallinan
Helen Kennedy Maher Migden Shelley

I hereby certify that the foregoing ordinance
was passed by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
47-92-6

SEP 24 1992

Date Approved

Mayer

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF SAN FRANCISCO TAXPAYERS' ASSN. AGAINST BOARD OF SUPERVISORS FOR \$50,000.

Be it ordained by the People of the City and County of

San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "San Francisco Taxpayers' Assn. v. Board of Supervisors," San Francisco Superior Court No. 901-018, by the payment of \$50,000.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

THOMAS J. OWEN
Deputy City Attorney

RECOMMENDED:

Board of Supervisors

JOHN L. TAYLOR
Clerk

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

01 001 97 09 01
300178 1450 \$50,000.00
3276g

AUG 05 1992

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading \$
September 14, 1992 \$
September 21, 1992 \$

Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Hsieh
Kennedy Shelley

Absent: Supervisors Alioto Maher
Migden

Ayes: Supervisors Achtenberg Alioto
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley

Absent: Supervisor Britt

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

JOHN L. TAYLOR
Clerk

File No.
45-92-46

SEP 25 1992

Date Approved

WILLIAM B. SHERRY
Mayor

DOCUMENTS DEPT.

SEP 29 1992

SAN FRANCISCO
PUBLIC LIBRARY

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF LEBEAUF, ET AL. AGAINST
THE CITY AND COUNTY OF SAN FRANCISCO for \$13,000.

Be it ordained by the People of the City and County of

San Francisco:

Section I. The City Attorney is hereby authorized to
settle the action entitled "LEBEAUF, ET AL. v. CITY AND COUNTY OF
SAN FRANCISCO, et al.," Municipal Court No. 030-701, by the
payment of \$13,000.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

RECOMMENDED:

KIMBERLY REILEY CLEMENT
Chief Trial Deputy

THOMAS MURPHY
Acting Chief of Police

FUNDS AVAILABLE:

EDWARD M. HARRINGTON
Controller

APPROVED:

SECRETARY
San Francisco Police Commission

01 001 97 09 38

309781 1450 \$13,000.00

AUG 05 1992

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading

September 14, 1992

\$ Finally Passed

\$ September 21, 1992

Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Hsieh
Kennedy Shelley

\$ Ayes: Supervisors Achtenberg Alioto
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley

Absent: Supervisors Alioto Maher
Migden

\$ Absent: Supervisor Britt

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

Clerk

File No.
45-92-47

SEP 25 1992

Date Approved

Mayor

DOCUMENTS DEPT.

SEP 29 1992

SAN FRANCISCO
PUBLIC LIBRARY

1 [SETTLEMENT OF LAWSUIT]

2 AUTHORIZING SETTLEMENT OF LITIGATION OF STATE COMPENSATION INSURANCE

3 FUND AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR \$17,490.60.

4

5 Be it ordained by the People of the City and County of San Francisco:

6 Section I. The City Attorney is hereby authorized to settle

7 the action entitled "STATE COMPENSATION INSURANCE FUND V. CITY AND

8 COUNTY OF SAN FRANCISCO, San Francisco Superior Court Nos. 866-527,

9 896-074 and 921-128" by the payment of \$14,033.01 plus simple

10 interest at 9% per annum from December 5, 1989 to date of payment,

11 but in no case more than a total of \$17,490.60 in principal and

12 interest.

13

14 APPROVED AS TO FORM
AND RECOMMENDED:

RECOMMENDED:

15 LOUISE H. RENNE
16 City Attorney

ASSESSOR'S OFFICE

17 *Barron L. Weinstein*18 BARRON L. WEINSTEIN
19 Acting Chief Trial Deputy*Doris Ward*DORIS WARD
Assessor

20 FUNDS AVAILABLE:

21 *Edward M. Harrington*
22 EDWARD M. HARRINGTON
23 Controller

AUG 05 1992

24 01 001 97 09 02
25 310110 1450 \$17,490.60

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading \$ Finally Passed
September 14, 1992 \$ September 21, 1992
\$ \$ \$Ayes: Supervisors Achtenberg Britt
Conroy Gonzalez Hallinan Hsieh
Kennedy Shelley\$ Ayes: Supervisors Achtenberg Alioto
Conroy Gonzalez Hallinan Hsieh
Kennedy Maher Migden ShelleyAbsent: Supervisors Alioto Maher
Migden\$ Absent: Supervisor Britt
\$I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco*John F. Taylor*
ClerkFile No.
45-92-48

SEP 25 1992

Date Approved

William B. Kennedy
Mayor

DOCUMENTS DEPT.

SEP 29 1992

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